

IN THE MATTER OF
THE APPLICATION OF
ROBERT L. WOOLF, ET UX
FOR A SPECIAL EXCEPTION ON
PROPERTY LOCATED ON THE EAST
SIDE FALLS ROAD, 4,195' SOUTH
OF RIDGE ROAD
(16907 FALLS ROAD)
5TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 95-409-X
* * * * *

OPINION AND ORDER

WHEREAS, the Appellants, Robert L. Woolf, Jr., and his wife, Sadie F. Woolf, through their attorney, Charles E. Brooks, Esquire, filed a Petition for Special Exception before the Zoning Commissioner of Baltimore County to approve the use of their property at 16907 Falls Road, Upperco, as a landscape service operation, pursuant to Sections 1A01.2.C.11.a and 404.3 of the Baltimore County Zoning Regulations (B.C.Z.R.); and

WHEREAS, the Appellants have reached an agreement with the Protestants, Ethan J. Young, Phil Watson, Rudolph Toth, and Wayne R. Hess, through their attorney, J. Carroll Holzer, Esquire, regarding the use, hours of operation, and buffering of the property; and

WHEREAS, a hearing was held on July 1, 1997, before the County Board of Appeals for Baltimore County, at which time the Board took testimony and admitted evidence and exhibits on behalf of the Appellant; and

WHEREAS, the Board has reviewed the matter and found that the testimony presented by the Appellant's son, Jeffrey Scott Woolf, who operates the family business with his father, as well as the testimony by Eugene Raphel, accepted as an expert professional land

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surveyor, Norman Gerber, accepted as an expert in land planning, and Richard Moore, vice-president of Wells and Associates, accepted as an expert in traffic engineering, satisfies the requirement of Section 502.1 of the B.C.Z.R. and further supports granting of the petition under Section 404.3 of the B.C.Z.R.; and

WHEREAS, the parties wish to resolve by this Order all issues affecting the property without further proceedings;

NOW, THEREFORE, it is this 9th day of September, 1997 by the County Board of Appeals of Baltimore County,

ORDERED, that the Petition for Special Exception to use the property known as 16907 Falls Road, 5th Election District, 3rd Councilmanic District, for a landscape service operation in accordance with Joint Exhibits No. 1 (plat of the subject property) and No. 2 (agreement), be and the same is hereby GRANTED.

The Petition herein granted is and shall be subject, however, to the terms and conditions more fully set forth in the agreement between the Appellants and the Protestants, including, specifically, the following conditions on the use of the Premises:

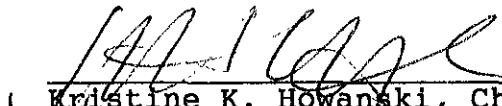
1. VEHICLE FUEL TANKS: Underground storage tanks for vehicle fuel (gasoline and diesel) will be removed and installed above ground with spill containment devices.
2. PESTICIDES: No storage of pesticides on the property greater than five (5) gallons for personal use.
3. SALT: Any salt stored on the property will be stored in such a manner as to prevent ground water contamination. Salt shall be bagged and under roof.
4. UNTAGGED VEHICLES: No untagged vehicles shall be stored on the property unless stored inside a building.
5. HOURS OF OPERATION: The landscape service business conducted on the property shall be primarily between

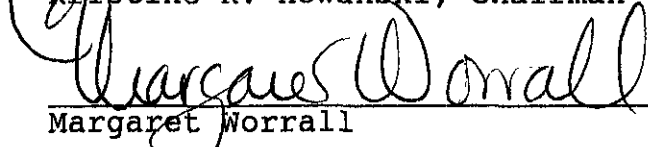
RECORDED
1997 SEP 10

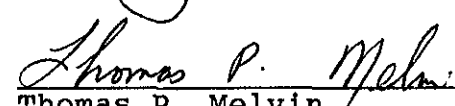
sunrise and sunset. Protestants understand that Woolf family members drive company vehicles and such activity shall not be construed to be "doing business." Protestants also recognize and understand that, on occasion, the hours of operation may be outside the sunrise to sunset limits due to factors beyond Woolf's control.

6. NUMBER OF EMPLOYEES: No more than fifteen (15) employees of the landscape business plus Woolf family members shall be on the property at any one time.
7. EQUIPMENT: Woolf agrees not to have dump trucks on the property for the landscape business in excess of 30 ton capacity. Hydroseeder/water truck units are allowed. Protestants recognize that particular job requirements may necessitate the need for bulldozers, graders and/or bobcats on the property. Bulldozers and graders would normally be for special job requirements and for limited duration.
8. RETAIL SALES: There will be no retail sales of plants, trees, nursery products or landscape materials from the property. Wholesale sales of plant and nursery materials will be allowed.
9. WATER: Water to maintain unplanted plants and trees used in landscape business shall be taken from the pond only.
10. TOTH BUFFER: Woolf is agreeable to maintaining a twenty (20) foot buffer of evergreen trees along the north boundary line of the special exception area and shown on the Plat dated February 28, 1995 prepared by E.F. Raphael & Associates and designed as the north 72 24'48"E 469.97' line. The 20-foot buffer area shown on the Plat identified as Joint Exhibit No. 1.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Chairman


Margaret Worrall


Thomas P. Melvin



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

September 9, 1997

Charles T. Brooks, Esquire
BROOKS & SPICER
610 Bosley Avenue
Towson, MD 21204

RE: Case No. 95-409-X
Robert L. Woolf, et ux -Petitioners

Dear Mr. Brooks:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Unless otherwise requested within 30 days from the date of this Order, this file will be closed at the conclusion of that period.

Very truly yours,

Charlotte E. Redcliffe for
Kathleen C. Bianco
Administrator

encl.

cc: Mr. & Mrs. Robert L. Woolf, Jr.
Eugene F. Raphael
Norman E. Gerber
J. Carroll Holzer, Esquire
Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess
✓ People's Counsel for Baltimore County
Pat Keller, Planning Director
Arnold Jablon, Director /PDM
Donna Thompson /PDM
Lawrence E. Schmidt
Virginia W. Barnhart, County Attorney

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 E/S Falls Road, 4,195' S of *
 Ridge Road * DEPUTY ZONING COMMISSIONER
 (16907 Falls Road) *
 5th Election District * OF BALTIMORE COUNTY
 3rd Councilmanic District *
 Robert L. Woolf, et ux * Case No. 95-409-X
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 16907 Falls Road, located in the vicinity of Gorsuch Mill Road and Mount Zion Road in Upperco. The Petition was filed by the owners of the property, Robert L. Woolf, Jr., and his wife, Sadie F. Woolf, through their attorney, Charles E. Brooks, Esquire. The Petitioners seek approval of a landscape service operation on the subject property, pursuant to Sections 1A01.2.C.11.a and 404.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert L. Woolf, Jr., his sons, Robert L. Woolf, III and Jeffrey Woolf, Eugene F. Raphael, Professional Land Surveyor, who prepared the site plan for this project, and Charles E. Brooks, Esquire, attorney for the Petitioner. Numerous residents from the surrounding community appeared in opposition, including the adjoining property owner, Ethan Young.

Testimony and evidence offered revealed that the subject property is comprised of two parcels with a combined area of 29.054 acres, more or less, zoned R.C.2. Parcel 1 of the property consists of 28.075 acres,

ORDER RECEIVED FOR FILING
 Date 7/16/96
 By [Signature]

MICROFILMED

more or less, and is improved with a single family dwelling, a 38' x 62' barn, a 42' x 130' combination work shop and storage building as shown on Petitioner's Exhibit 1. Approximately 8.136 acres of the overall tract are being devoted to a landscape service operation which has existed on the property since 1976. The remainder of the tract is farm land. Mr. Robert Woolf, Jr. testified that in 1976 his family commenced operating the landscape service business from the subject site. He testified that they offer full-service landscaping, including design, installation and maintenance of all plant materials used. Mr. Woolf testified that many of their projects are for the State Highway Administration. The tools, supplies and materials used in their operation, such as fertilizers, straw, seed, mulch, trees and shrubs, are stored on the subject site. Mr. Woolf further testified that the business is open between the hours of 7:30 AM to 4:00 PM, Monday through Friday, with some Saturday hours, and no Sunday hours. The work crews meet at the site at 7:30 AM and return at 4:00 PM each business day. Mr. Woolf employs 8 to 12 persons year-round with additional summer help being hired during warmer weather.

Mr. Woolf testified that this operation as it presently exists has been constant for the past five years and that there has been no expansion to the use in that time. Mr. Woolf wishes to continue to operate this landscape business on the subject site, and indicated he has no intentions of enlarging his operation from its present status.

As noted above, several residents from the surrounding community appeared as Protestants in the matter. Rudolph Toth, Ethan Young, Phil Watson, and Wayne Hess, all appeared and offered testimony in opposition to the Petitioner's request. These residents are concerned that the landscape service operation will continue to grow and become a problem.

The Protestants are not so much concerned with the operation as it presently exists, but are more concerned about a future expansion, or if the Woolf family would ever sell out to an outside landscaping company. They also voiced concern about traffic in the area, given the fact that vehicles travel at a high rate of speed on Falls Road, and the entrance to this property cannot be seen from a great distance. They further testified that the trucks that exit this property onto Falls Road are slow-moving, and sometimes force vehicles to suddenly break when coming upon one of them. These residents also expressed concern over noise, and the chemicals, fertilizers, and fuel oil which are stored on the property, given the location of a nearby stream and pond on the property. These residents also obtain their drinking water from underground wells and they are concerned about the possibility of contamination.

Additional testimony demonstrated that there is a certain amount of junk and debris stored on the property as well as junk vehicles. Testimony indicated that the trash and debris consists of old dead plant material, some paper trash, wire, tree stakes, and a few tires. Further testimony revealed that Mr. Woolf restores antique cars as a hobby, and that he has bought some cars for parts and discarded some. Apparently, there are 10 or 12 junked and/or disabled vehicles being stored on the property. The Petitioners were instructed at the hearing to clear their property of all trash and debris, as well as to remove all abandoned and disabled junk vehicles, which are not permitted in an R.C. 2 zone, pursuant to the B.C.Z.R. This clean up was to be done as soon as possible, regardless of my decision in this matter. In fact, I purposely delayed making a decision on this matter to see if the Petitioners would take immediate action to bring the property into compliance with the zoning

ORDER RECEIVED FOR FILING

Date

By

regulations. Clearly, it would not be appropriate to grant a special exception request if other provisions of the B.C.Z.R. are being violated.

Recently, Donna Thompson, the Baltimore County Zoning Inspector for this area, revisited this property to determine its compliance with the B.C.Z.R. Photographs taken by Ms. Thompson, and the inspection report filed by her, demonstrate that the property continues to be in violation of the B.C.Z.R., by virtue of the junk and abandoned vehicles remaining on the property, as well as the trash and debris that continues to collect on the property. Ms. Thompson saw little, if any, improvement to the subject site and stated that the property remains in violation of the B.C.Z.R.

After considering the results of Ms. Thompson's inspection of the property, as well as the testimony and evidence presented at the hearing, I am persuaded to deny the Petitioner's request for special exception.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the pur-

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By [Signature]

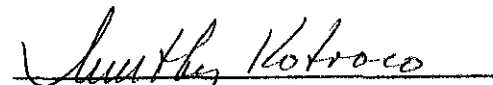
poses of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied and all landscaping operations shall cease and desist within thirty (30) days of the date of this Order.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of July, 1996 that the Petition for Special Exception seeking approval of a landscape service operation on the subject site, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall remove all trash and debris, as well as the junk vehicles, from their property within thirty (30) days of the date of this Order; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 16, 1996

(410) 887-4386

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District - 3rd Councilmanic District
Robert L. Woolf, et ux - Petitioners
Case No. 95-409-X

Dear Mr. Brooks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Robert L. Woolf, Jr.
16907 Falls Road, Upperco, Maryland 21155

Mr. Eugene F. Raphael
205 Courtland Avenue, Towson, Maryland 21204

Mr. Ethan J. Young, 16903 Falls Road, Upperco, Md. 21155
Mr. Phil Watson, 3213 Copenhaver Road, Street, Md. 21154
Mr. Rudolph R. Toth, 10 Hunter Lake Court, Upperco, Md. 21155
Mr. Wayne R. Hess, 16835 Falls Road, Upperco, Md. 21155

Ms. Donna Thompson, PDM; People's Counsel; Case File

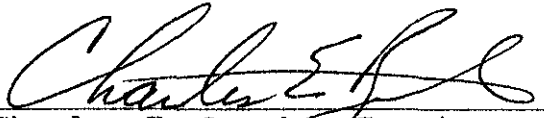


IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 E/S FALLS ROAD * ZONING COMMISSIONER
 4,195' SOUTH OF RIDGE ROAD *
 16907 FALLS ROAD * FOR BALTIMORE COUNTY
 5TH ELECTION DISTRICT *
 3RD COUNCILMANIC DISTRICT * CASE NO.: 95-409-X

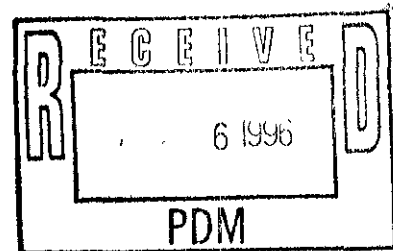
* * * * *

ORDER FOR APPEAL

Please note an Appeal to the Board of Appeals for Baltimore County from the Decision of the Zoning Commissioner in the above case dated July 16, 1996.


 Charles E. Brooks, Esquire
 Law Offices of Brooks & Spicer
 610 Bosley Avenue
 Towson, Maryland 21204
 (410) 296-2600
 Attorney For Petitioners

LAW OFFICES
 BROOKS & SPICER
 610 BOSLEY AVENUE
 TOWSON, MD 21204
 296-2600



RE: PETITION FOR SPECIAL EXCEPTION
16907 Falls Road, E/S Falls Road, 4195'
S of Ridge Road, 5th Election District
3rd Councilmanic

Robert L. and Sadie F. Woolf
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-409-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

JUN 15 1995



Petition for Special Exception

95-409-X
to the Zoning Commissioner of Baltimore County

for the property located at 16907 Falls Road, Upperco, Maryland 21155
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Landscape Service Operation
1A01.2.C.11a. & 404.3

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Charles E. Brooks, Esquire

(Type or Print Name)

Signature

610 Bosley Avenue 296-2600

Address Phone No.

Towson MD 21204

City State Zipcode

Legal Owner(s):

Robert L. Woolf

(Type or Print Name)

Signature

Sadie F. Woolf

(Type or Print Name)

Signature

16907 Falls Road 239-2428

Address Phone No.

Upperco Maryland 21155

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Charles E. Brooks, Esquire

Name

610 Bosley Avenue 296-2600

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SPD DATE 5-10-95

MICROFILMED 403

ORDER RECEIVED FOR FILING

Date

By

E. F. RAPHEL & ASSOCIATES

Registered Professional Land Surveyors

201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

95-409-X

OFFICE: 825-3908

RESIDENCE: 771-4592

April 06, 1995

DESCRIPTION TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION
#16907 FALLS ROAD
ROBERT L. WOOLF PROPERTY

BEGINNING FOR THE SAME at a point in the center of Falls Road at a distance of 4195 feet +/- measured Southeasterly along Falls Road from the centerline intersection of Ridge Road and Falls Road, said point being the Southwestern most corner of the land of Robert L. Woolf & Sadie F. Woolf, his wife, E.H.K., Jr., 6645 folio 159, running thence in the center of Falls Road and binding on part of the Westernmost outline of said deed, North 07 degrees 25 minutes 33 seconds East 40.00 feet, thence leaving the center of Falls Road and the Westernmost outline of said deed and running for the 8 following courses and distances,

- 1) South 74 degrees 14 minutes 26 seconds East 162.00 feet
- 2) North 67 degrees 35 minutes 09 seconds East 66.25 feet
- 3) North 11 degrees 39 minutes 54 seconds East 158.27 feet
- 4) North 49 degrees 47 minutes 13 seconds West 144.05 feet
- 5) North 26 degrees 45 minutes 26 seconds East 399.81 feet
- 6) North 72 degrees 24 minutes 48 seconds East 469.97 feet
- 7) South 17 degrees 57 minutes 08 seconds East 525.59 feet
- and 8) South 74 degrees 27 minutes 41 seconds West 594.22 feet to the outline of said deed, thence binding on the said outline South 40 degrees 12 minutes 53 seconds West 224.01 feet and North 74 degrees 14 minutes 26 seconds West 225.80 feet to the place of beginning.

CONTAINING 8.136 Acres of land more or less.

BEING part of the land of Robert L. Woolf & wife, E.H.K., Jr. 6645 folio 159.

BEING ALSO known as #16907 Falls Road, and located in the Fifth Election District of Baltimore County.



E. F. Raphael
E. F. Raphael,
Reg. Prof. Land Surveyor #2246

SMA-S-10-95

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403

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-409-X

District 5th

Date of Posting 5/29/05

Posted for: Special Exception

Petitioner: Robert & Rosie Woolf

Location of property: 16907 Falls Rd, E/S

Location of Signs: Facing driveway, on property being zoned

Remarks:

Posted by

[Signature]
Signature

Date of return:

Number of Signs:

1

5/26/05
[Stamp]



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-409-X
(Item 403)
16907 Falls Road
E/S Falls Road, 4195' S of
Ridge Road
5th Election District
3rd Councilmanic
Legal Owner(s):

Robert L. Woolf and
Sadie F. Woolf
Hearing: Tuesday,

June 13, 1995 at 9:30
a.m. in Rm. 118, Old
Courthouse.

Special Exception for landscape service operation.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
6/337 May 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

5/25, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/25, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

~~Registration~~

FILED IN 1995



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-409-X

Account: R-001-6150

Number

403
SND

Date

5-9-95

ROBERT WOOLF 16907 FALLS RD.
O-SPECIAL EXCEPTION 300
OFF 1 300 335

TOTAL

335

MICROFILMED

03A03#0042MICHR

\$335.00

BA 0012#46PM03-10-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

023518

DATE 8/6/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM: Charles E. Brooks, Esquire

Appeal 250.00
sign 35.00

FOR: 285.00

MICROFILMED

01A0000038MICHR

\$285.00

BA C009#07AM08-07-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Rye

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

023518

DATE 8/6/96 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED FROM: Charles E. Brooks, Esquire

Appeal 250.00
sign 35.00

FOR: 285.00

01A0000038MICHR

\$285.00

BA C009#07AM08-07-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Rye

TO: PUTUXENT PUBLISHING COMPANY
May 25, 1995 Issue - Jeffersonian

Please forward billing to:

Charles E. Brooks, Esq.
610 Bosley Avenue
Towson, MD 21204
296-2600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-409-X (Item 403)
16907 Falls Road
E/S Falls Road, 4195' S of Ridge Road
5th Election District - 3rd Councilmanic
Legal Owner(s): Robert L. Woolf and Sadie F. Woolf
HEARING: TUESDAY, JUNE 13, 1995 at 9:30 a.m. in Room 118, Old Courthouse

Special Exception for landscape service operation.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 18, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-409-X (Item 403)

16907 Falls Road

E/S Falls Road, 4195' S of Ridge Road

5th Election District - 3rd Councilmanic

Legal Owner(s): Robert L. Woolf and Sadie F. Woolf

HEARING: TUESDAY, JUNE 13, 1995 at 9:30 a.m. in Room 118, Old Courthouse

Special Exception for landscape service operation.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

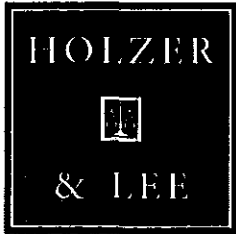
Arnold Jablon
Director

cc: Robert and Sadie Woolf
Charles E. Brooks, Esq.
James Meda

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

111 W. CHESAPEAKE AVENUE
TOWSON, MD 21204
(410) 887-3353





LAW OFFICES

J. CARROLL HOLZER, PA
THOMAS J. LEE

J. HOWARD HOLZER
1907-1989

TOWSON OFFICE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MD 21204
(410) 825-6961
FAX: (410) 825-4923

CARROLL COUNTY OFFICE
1315 LIBERTY ROAD
ELDERSBURG, MD 21784
(410) 795-8556
FAX: (410) 795-5535

December 11, 1996

Robert Schuetz, Chairman
The Baltimore County Board of Appeals
Old CourtHouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: *Case No.: 95-409-X*
Robert L. Woolf
Hearing Date: Thursday, January 2, 1997

Dear Mr. Schuetz:

Please be advised that I represent Ethan J. Young, Phil Watson, Ruth Rudolph Toth and Wayne R. Hess, Protestants in the above captioned matter, which is scheduled for Thursday, January 2, 1997. I have just been contacted and retained by these individuals and have discovered that I will be out of town on January 2, 1997 as a result of the New Year's holidays. I would respectfully request a postponement in the above captioned matter in order that I may represent these Protestants who appeared and protested below before the Zoning Commissioner.

Please enter my appearance on behalf of these Protestants and notify me of the next scheduled hearing date. Thank you for your consideration in the above captioned matter.

Very truly yours,


J. Carroll Holzer

JCH:alt

cc: Charles E. Brooks, Esq.
Ethan J. Young

C:\LETTERS\SCHUETZ7.LTR

Received 12/12/96
[Signature]

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 296-2600

TELEFAX
(410) 296-2379

December 13, 1996

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Court House
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case Number: 95-409-X
Robert L. Woolf
Hearing Date Thursday, January 2, 1997

Dear Mr. Schuetz:

I am in receipt of a letter under date of December 11, 1996 from J. Carroll Holzer, Esquire requesting that the above captioned matter be postponed.

In view of the fact that Mr. Holzer has advised that he has just recently become involved in this case and that he will be out of town on that date, I will not object to his request for a postponement in the above captioned matter.

Respectfully submitted



Charles E. Brooks

CEB/lg

cc: J. Carroll Holzer, Esquire
Robert L. Woolf

*T/c to C Brooks
to be processed
12/16/96*

11135
MICROFILMED

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 296-2600

TELEFAX
(410) 296-2379

February 26, 1997

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Court House
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: In The Matter of Robert L. Woolf, et ux,
Petitioners
Case Number: 95-409-X

Dear Mr. Chairman:

I am advised that the above captioned matter is scheduled for Wednesday, April 2, 1997 at 10:00 a.m.

I have been advised by Mr. Norman Gerber, one of the essential experts who I will be calling as a witness, that he is not available on that date. As a result of which, it is necessary for me to request a postponement.

I have discussed this request with J. Carroll Holzer, Esquire, who is counsel for the Protestants and he has concurred with me that a postponement would in fact be mutually agreeable in that we are having discussions between the parties in an effort to resolve this issue.

Your kind consideration of this request will be greatly appreciated.

Sincerely,

Charles E. Brooks

Charles E. Brooks

CEB/lg

cc: J. Carroll Holzer, Esquire
Robert L. Woolf, Jr.
Peter M. Zimmerman, Esquire
Arnold Jablon, Director/PDM
Virginia W. Barnhart, County Attorney
Pat Keller, Planning Director
Lawrence E. Schmidt

PP to 7/01/97



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 10, 1997

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 95-409-X

IN THE MATTER OF: ROBERT L. WOOLF, ET UX -
Petitioners
E/s Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District; 3rd Councilmanic

which was scheduled for hearing on April 2, 1997 has been POSTPONED at the request of Counsel for Petitioners/Appellants, and without objection from Counsel for Protestants; and has been

REASSIGNED FOR: TUESDAY, JULY 1, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Petitioners/Appellants
Petitioners /Appellants
Surveyor

Charles E. Brooks, Esquire
Mr. & Mrs. Robert L. Woolf, Jr.
Eugene F. Raphael

Counsel for Protestants
Protestants:

J. Carroll Holzer, Esquire
Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



Case No. 95-409-X

Robert L. Woolf, et ux - Petitioner

E/s Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)

5th Election District

Appealed: 8/6/96

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 7, 1995

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 403
Case No.: 95-409-X
Petitioner: Robert L. Woolf, et ux

Dear Mr. Brooks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 10, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
May 30, 1995

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #403 - Woolf Property
16907 Falls Road
Zoning Advisory Committee Meeting of May 22, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

This project should show a Forest Buffer Easement around all streams, wetlands and floodplains on the entire parcel of land being developed.

Agricultural Preservation Program

Nursery production is an important component of the Baltimore County agricultural industry. This use should be supported if it meets all the standards required in the zoning regulations.

Waste Management

A solid waste processing facility permit would be required for the above listed facility if the operation involves the recycling of solid waste materials delivered from off-site. Solid waste materials could include brush, leaves, grass, stumps (any material which, if not recycled, would normally be disposed of in a landfill).

An application for the permit can be secured by contacting Ms. Deborah Kendall, of the Department of Permits and Development Management at 887-3616.

✓
JLP:sp

WOOLF/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 30, 1995
Zoning Administration and Development Management

FROM: *Pub* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 30, 1995
Item No. 403

The Developers Engineering Section has reviewed the subject zoning item. Falls Road, Route 25, is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting this road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

If the Special Exception is approved, the entrance to the site will conform to Department of Public Works' Standard Plate R-32-A, Rural Commercial Entrance.

RWB:sw

1995 JUN 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 22, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 390, 399, 402, 403 and 407.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/23/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBERT L. WOOLF & SADIE F. WOOLF

LOCATION: E/S FALLS RD., 4195' S OF RIDGE RD. (16907 FALLS RD.)

Item No. 403

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED

MAY 30 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

REPROFILMED



**PETITION PROBLEMS
AGENDA OF MAY 22, 1995**

#402 --- MJK

1. Need name of legal owner on petition form.
2. Need authorization for "legal agent" to sign for legal owner.

#403 --- JRA

1. Receipt was not given to petitioner or attorney.

#404 --- JLL

1. Need typed or printed title of person signing for legal owner.

#406 --- JJS

1. Incorrect zoning on petition form - VR 5.5????

#410 --- JJS

1. Need legal owner's telephone number on petition form.
2. Zoning on petition form does not agree with zoning on folder.
3. Review information not completed on bottom of petition form.
4. No descriptions in folder (see John Sullivan's memo).

UNRECORDED



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

August 9, 1996

Mr. Eugene F. Raphael
205 Courtland Avenue
Towson, MD 21204

RE: Petition for Special
Exception
E/S Falls Road, 4,195' S
of Ridge Road
(16907 Falls Road)
5th Election District
3rd Councilmanic District
Robert L. Woolf, et ux
- Petitioner
Case No. 95-409-X

Dear Mr. Raphael:

Please be advised that an appeal of the above-referenced case was filed in this office on August 6, 1996 by Charles E. Brooks, Esquire on behalf of Mr. and Mrs. Robert Woolf. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:rye

cc: Mr. Ethan J. Young
Mr. Phil Watson
Mr. Rudolph R. Toth
Mr. Wayne R. Hess
People's Counsel

APPEAL

Petition for Special Exception
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District - 3rd Councilmanic District
Robert L. Woolf, et ux - Petitioners
Case No. 95-409-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plat to Accompany Special Exception
2A-2J - Eleven photographs
3 - Tax map
4 - Business card

Protestant's Exhibits: 1A-1C - Three photographs
2A-2C - Three photographs
3 - Fire Incident Report

One photograph not marked as an exhibit

Two maps with four corresponding signature pages

Five letters of Opposition

Letter from Charles E. Brooks, Esquire to Timothy Kotroco dated June 21, 1995

Deputy Zoning Commissioner's Order dated July 16, 1996 (Denied)

Notice of Appeal received on August 6, 1996 from Charles E. Brooks, Esquire on behalf of Mr. and Mrs. Robert L. Woolf, Jr.

cc: Mr. and Mrs. Robert L. Woolf, Jr., 16907 Falls Road, Upperco, Maryland 21155
Mr. Eugene F. Raphael, 205 Courtland Ave., Towson, Maryland 21204
Mr. Ethan J. Young, 16903 Falls Road, Upperco, Maryland 21155
Mr. Phil Watson, 3213 Copenhaver Road, Street, Maryland 21154
Mr. Rudolph R. Toth, 10 Hunter Lake Court, Upperco, Maryland 21155
Mr. Wayne R. Hess, 16835 Falls Road, Upperco, Maryland 21155
Charles E. Brooks, Esquire, 610 Bosley Ave., Towson, Maryland 21204
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM
Donna Thompson, PDM

11/15/96 -Notice of Assignment sent to following for hearing scheduled for Thursday, January 2, 1997 at 10:00 a.m.:

Charles E. Brooks, Esquire
Mr. & Mrs. Robert L. Woolf, Jr.
Eugene F. Raphael
Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

12/13/96 -Letter dtd 12/12/96 from J. Carroll Holzer, Esquire -- entering appearance as counsel on behalf of Protestants (Young, Watson, Toth and Hess); requesting postponement of hearing scheduled for 1/02/97; will be out of town at that time.

12/16/96 -Letter from Charles Brooks, Counsel for Petitioners /Appellants; no objection to the above postponement request.

- T/C to both parties; case to be postponed to next open date on docket, with consideration being given to an earlier date, should such date become available, upon confirmation of availability of parties.

- Notice of PP and Reassignment sent to parties; matter rescheduled to Wednesday, April 2, 1997 at 10:00 a.m.

2/28/97 -Request for Postponement filed by Charles Brooks due to unavailability of N. Gerber, essential expert; indicates no objection by C. Holzer to this request.

3/10/97 -Upon confirmation w/C. Holzer's office, postponement granted; matter reassigned to and notice sent for Tuesday, July 1, 1997 at 10:00 a.m.

MICROFILMED

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: ROBERT L. WOOLF, ET UX -Petitioners
Case No. 95-409-X

DATE : July 1, 1997 /at conclusion of hearing

BOARD /PANEL : Kristine K. Howanski, Chairman (KKH)
Margaret Worrall (MW)
Thomas P. Melvin (TPM)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Counsel in this matter included Charles E. Brooks, Esquire, and Malcolm F. Spicer, Esquire, Counsel for Petitioners; and J. Carroll Holzer, Esquire, Counsel for Protestants. People's Counsel for Baltimore County did not participate in these proceedings.

PURPOSE --to deliberate issues and matter presented to the Board this date in Case No. 95-409-X.

KKH: We are here to deliberate the special exception request in the matter of Robert L. Woolfe, et ux, Case No. 95-409-X. I will continue with my usual statement regarding public deliberation and move on to publicly deliberate.

The requirements for special exception are set forth in section 502 pertaining to special exceptions, and the particular factors for the present situation, we did hear testimony from Mr. Gerber actually supporting that the use requested would not be detrimental to the health, safety and general welfare of the locality. We heard from Mr. Moore and Mr. Gerber in the fact that it will not tend to create congestion in the streets and alleys. Pre-existing situation is not going to change the traffic situation, particularly with the agreement confining it to 15 employees. When I look at (c), we have testimony of Mr. Gerber, again, indicating that the use would not create potential hazard; again, (d), pre-existing operation -- defined under agreement and is a commercial operation and not residential; (d) certainly would be satisfied; would not overcrowd land causing undue population.

Likewise, for the same reason, would not impact schools; testimony of Mr. Gerber again that it would not interfere with adequate light and air. We further have his testimony that it would not be inconsistent with the zoning classification or the spirit and intent of the regulations.

The other areas really do not appear to be impacted; do not

RECEIVED

#95-409-X /Robert L. Woolf, et ux /Deliberation

have something that needs to be utilized within two years; present use.

Turning to the landscaping requirements under 404, exhibit itself as well as the testimony of Mr. Nafell and Mr. Gerber support at least what I see as the following:

- Roadway issues not involved.
- Outdoor storage areas are screened; property itself is self-contained within 29 acres.
- There's no sign, and I don't see any provision for a sign.
- We do have horticultural materials on site; confined to wholesale and not retail.
- Nothing seems to be implicated by definition.

We do have the special exception - has been sought at this point, and we do have testimony acknowledging /supporting the fact that it is sufficient site and designed to protect neighboring dwellings. Location of parking and stop areas to be compatible and screened.

We are allowed to set conditions on special exceptions. The conditions do seem to my view to be dealt with in appropriate fashion in the agreement which is identified now as Joint Exhibit No. 1.

For reasons indicated, my inclination would be to grant the special exception request and have as conditions the substance of what is set forth in the agreement negotiated with Mr. Holzer's clients.

TPM I agree with everything our chairperson has said; raised question about any junk still remaining.

Would grant the special exception.

MW: I would agree with both of you. I was impressed with the ability of the parties to reach an agreement. I agree that conditions should be made a part of the Order. I think Mr. Gerber made a good point that this landscaping service operation is very much like modern farming operations and is consistent with other uses in the area under R.C. 2 zoning. I think it definitely meets the spirit and intent and is properly screened, and does not have any of the problems that could be associated if conditions are not made.

I would agree with the granting of the special exception.

#95-409-X /Robert L. Woolf, et ux /Deliberation

KKH: Would you be comfortable if we had in there some sort of understanding that vehicles that end up in a junked condition should be removed?

TPM: I believe it should be in there.

KKH: What they have is no untagged vehicles on the property.


MW: There is plenty of equipment that when it breaks down, you haul it off to the woods and forget about it.

KKH: That is what we are looking at; another issue that can be dealt with outside of a special exception -- with zoning.

MW: It can be dealt with in Zoning.

KKH: We will issue a written Order granting the special exception with the agreement as conditions; you have 30 days from the date of the written decision for appeal.

Respectfully submitted,




Kathleen C. Bianco

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 2, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe 
County Board of Appeals

SUBJECT: Closed File: Case No. 95-409-X
Robert L. Woolf, et ux
5th E; 3rd C

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 95-409-X)

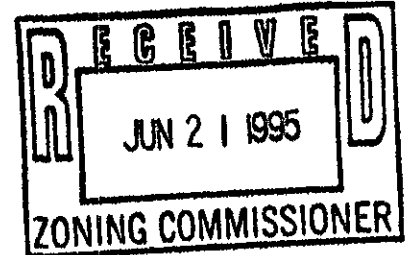
MICROFILMED

LAW OFFICES
BROOKS & SPICER
610 ROSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 296-2600

TELEFAX
(410) 296-2379



June 21, 1995

Mr. Timothy M. Kotroco,
Deputy Zoning Commissioner
Office of Planning & Zoning
Court House, Room 112
400 Washington Avenue
Towson, Maryland 21204

Re: Special Exception - Robert L. Woolf, Jr., et al
16907 Falls Road, Upperco, Maryland 21155

Dear Mr. Kotroco:

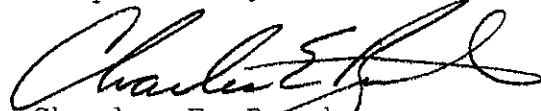
As you are aware on Tuesday, June 13, 1995, the above captioned matter was heard before you.

As you will recall, my client had indicated that he had entered into discussions with the State and he has advised me that the State has now agreed to the removal of the twenty (20) feet of guardrail which would significantly alter the driveway entrance increasing it to twenty eight (28) feet in width.

I did not retain the names and addresses of the persons who were in attendance as a result of which I am incapable of providing them with this information.

If any additional information in reference to the foregoing is required, please do not hesitate to so advise.

Respectfully submitted,


Charles E. Brooks

CEB/lg

cc: Robert L. Woolf, Jr.
Bruce E. Kauffman, Esquire

MICROFILMED

John B. Gillett
6 Hunter Lake Court
Upperco, Maryland 21155
June 12, 1995

Case
95-409-X

Baltimore County Zoning Board
Towson, MD 21204



Subject: Change of Zoning
Woolf Property
16907 Falls Road

Dear Members of the Zoning Board:

My wife and I live in Hunter Green subdivision about 1,800 feet from the Woolf property. I am writing to express our concern about a request for commercial zoning for the property.

I am a registered professional engineer. Since 1951 I have either worked for or been a principal in a consulting engineering firm practicing civil engineering in the Baltimore area. Besides my personal concerns about the property, I also have professional concerns.

We understand that the proposed use is for a landscaping business, which includes a landfill for unusable products, such as shrubbery waste and possibly herbicides and insecticides.

The only commercial area on Falls Road between Black Rock Road (Maryland Route 88) and the Carroll County line, a distance of over eight miles, is at Whitehouse (Falls and Mt. Carmel Roads). A small winery near Black Rock Road has a gravel single lane entry. Although I have used Falls Road almost daily for ten years, I have never seen a commercial vehicle using this entry. The businesses at Whitehouse are a small carry-out, a general store, a small farm implement sales and service store, and a nursery featuring mostly annuals and perennials. These businesses generate very little traffic. The rest of the properties are residential and agricultural. These uses make commercial use inappropriate.

The next concern is about truck traffic on Falls Road which is prohibited except for local deliveries. Falls Road is only two lanes with narrow shoulders. No significant realignment has ever been made to the road, although it is over 100 years old. Mr. Sherman Sparks, who lives in Whitehouse can remember when Falls Road was unpaved. It has about thirty curves in the four miles between Black Rock Road and Mt. Carmel Road. The speed limit is forty miles an hour, and many curves are posted for lower speeds. These facts explain why truck

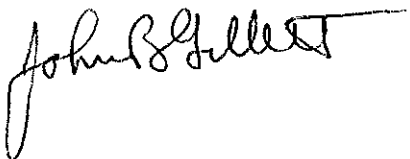
16907 Falls Road

traffic is prohibited. A business that would generate truck traffic is not only inappropriate, but the traffic is illegal.

Secondly, the sight distances at the location of the Zoning notice are very short, too short to allow safe stopping at forty miles an hour.

My last concern is the landfill. The County cannot police such a small, isolated landfill. A permit is required for the operation. Two permit requirements that would be difficult or impossible to meet at this site would be adequate land buffers and groundwater monitoring and protection. Any zoning change should be denied until State and County landfill permits are granted.

Sincerely,

A handwritten signature in cursive script, appearing to read "John B. Gullett". The signature is written in dark ink and is positioned below the "Sincerely," text.

July 4, 1995

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County

7/10/95
ag
to TK
file

95-409

Dear Mr. Kotroco,

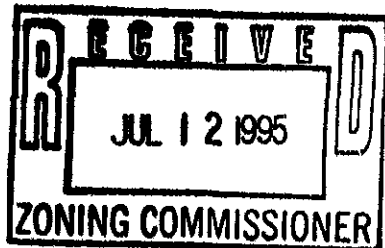
I am currently in the final process of purchasing the property located on 16901 Falls Road. It has recently come to my attention, that a request for commercial zoning has been submitted to your office to allow the owner of 16907 Falls Road to operate a nursery. During my latest visit to the prospective property, I was disturbed to learn that the noise, as well as, the commercial traffic had increased considerably. After residing in a highly populated area for many years, my wife and I were anticipating building a home in an area that offered a tranquil environment. We believe if this commercial business is allowed to operate adjacent to the prospective property, that it would adversely effect our decision to purchase the property. Thank you for your consideration. Please do not hesitate to contact me for questions or concerns.

Sincerely,

David Carnaggio

David Carnaggio
4262 Sheldon Avenue
Baltimore, Maryland 21206
Home # 485-7438
Work # 597-7514

*Zoning
Commissioner's
Box*

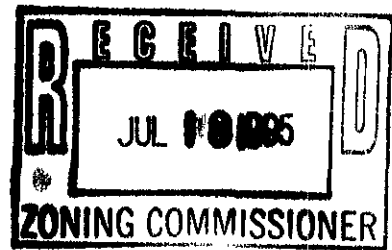


Timothy M. Kotroco

RECEIVED
JUL 10 1995
ZADM

Case
95-409-X

July 4, 1995



Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County

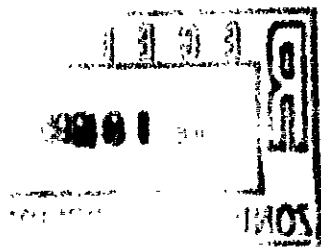
Dear Mr. Kotroco,

I am currently in the final process of purchasing the property located on 16901 Falls Road. It has recently come to my attention, that a request for commercial zoning has been submitted to your office to allow the owner of 16907 Falls Road to operate a nursery. During my latest visit to the prospective property, I was disturbed to learn that the noise, as well as, the commercial traffic had increased considerably. After residing in a highly populated area for many years, my wife and I were anticipating building a home in an area that offered a tranquil environment. We believe if this commercial business is allowed to operate adjacent to the prospective property, that it would adversely effect our decision to purchase the property. Thank you for your consideration. Please do not hesitate to contact me for questions or concerns.

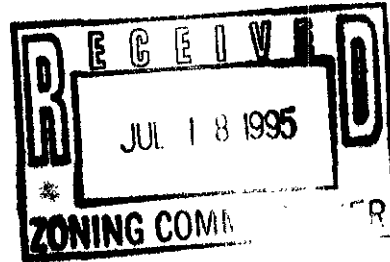
Sincerely,

A handwritten signature in cursive script, appearing to read "David Carnaggio".

David Carnaggio
4262 Sheldon Avenue
Baltimore, Maryland 21206
Home # 485-7438
Work # 597-7514



15 July 1995



Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

In reference to Case #95-409 - Woolf Property

Dear Mr. Kotroco:

In regard to the zoning question proposed by the Woolfs concerning the property adjacent on the north side of 16903 Falls Road, Baltimore County, MD, I speak as a former owner and resident of 16903 Falls Road.

I owned said property from April 1974 to November 1985 and had maintained a friendly relationship with my neighbors to the north as well as all others in the surrounding vicinity during this time. The general attitude of all of the residents in that area was one of respectful courtesy of each others privacy, thoughtfulness of noise levels, and readiness to help each other in time of need.

In November 1985, I sold said property to Mr. & Mrs. Philip Watson. For about a year prior to that time, I was very aware of the introduction of heavy equipment on the adjacent driveway and was conscious of an unfriendly attitude of my then new neighbors.

The Woolf family displayed a distinctly antagonistic attitude toward neighbors from the beginning of their residency on Falls Road and a general lack of thoughtfulness and courtesy for anyone else.

I was glad to sell the property and leave the Woolf family and their negative attitude.

I write this letter to give historical background to this case and will receive no monetary gain from it.

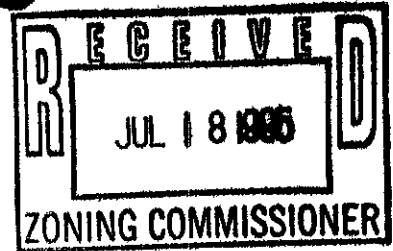
Sincerely,

Virginia R. North

Virginia R. North
(formerly Duvall)

MONOFILMED

June 30, 1995



Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

RE: Case Number: 95-409X
Woolf Property

Dear Mr. Kotroco,

We the undersigned, are the property owners adjacent to the property owned by Mr. & Mrs. Robert Woolf at 16907 Falls Road. We are writing to you to summarize our concerns and our joint opposition to the requested "Special Exception" for a Landscape Service Operation,

Our opposition to the proposed zoning change is based on but not limited to the following reasons:

- 1) The potential for a detrimental effect on the health, safety, and general welfare of the locality.

We are concerned for the potential negative impact on the environment and our water supplies from the increased storage and use of hazardous material (such as herbicides, fertilizers, petroleum products, etc.) that are commonly used in the landscaping industry. Additionally, we dread an increase in the noise created by a larger operation.

- 2) Traffic concerns on Falls Road.

Due to the nature of the company's large equipment and trailer vehicles, and to the curvature and limited visibility of oncoming traffic, the potential for automobile accidents is ever increasing with the area's residential growth and increasing traffic. In addition, there is no escape route from head-on collisions because of existing guardrails.

- 3) An increase in the potential for fire and other dangers.

The recent "flash" fire raises our concerns for a greater potential for fire and other dangers with an increase in the company's operations and employees.

ENCLOSURE

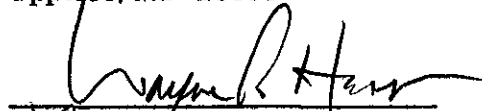
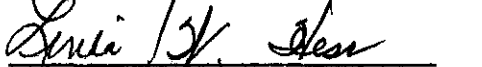
- 4) The operations of the business would be inconsistent with the purposes of the property's zoning classification and inconsistent with the spirit and intent of zoning regulations for this residential area.

In closing, the undersigned believe that should a "Special Exception" be granted, it would be difficult for the community to effectively detect any violation of the regulations. Mr. Kotroco, please understand that it is not the intent of the community to place undue hardship on the Woolf family and their business, but we feel a strong need to protect our own personal and financial investments in our community. Let the record reflect we are jointly and vehemently opposed to the granting of this "Special Exception".

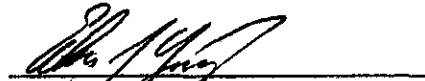

Thank you for your time in this issue and we await your decision.

Regards,

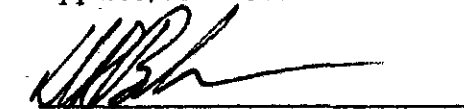
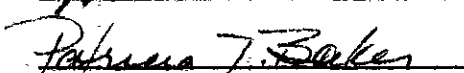
Mr. & Mrs. Wayne R. Hess
16835 Falls Road
Upperco, MD 21155



Mr. & Mrs. Ethan J. Young
16903 Falls Road
Upperco, MD 21155



Mr. And Mrs. Daniel Baker
16818 Falls Road
Upperco, MD 21155

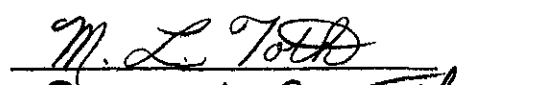

Mr. & Mrs. Phillip R. Watson
16901 Falls Road
Upperco, MD 21155

Mr. & Mrs. P. Robert Shaffer
9 Hunter Lake Court
Upperco, MD 21155

Mr. & Mrs. Rudolph P. Toth
10 Hunter Lake Court
Upperco, MD 21155

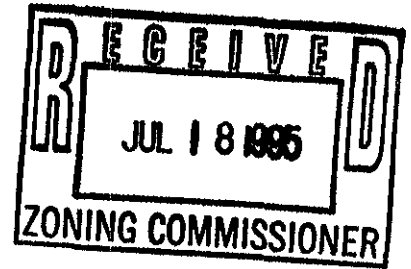



RECEIVED

Phillip R. and Sara M. Watson
3213 Copenhaver Road
Street, MD 21154

June 22, 1995

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204



RE: Case 95 409-X
Special Exception for Landscape Service Operation
16907 Falls Road

Mr. Commissioner,

Please understand that no party here has the intent to adversely affect the other. We believe the intent of the Woolf's is not to be disruptive to the neighborhood but to run a family business to support their families. Our intent is not to inhibit anyone's ability to support their family but it is to maintain the value of our property and to try to establish the peace and tranquility which is consistent with communities similar to ours and the spirit and intent of RC-2 zoning.

From our perspective and from the facts gathered at the hearing, a business has been operated outside of the regulations for a period of 12 years. During that time the operations and activities have been very disruptive to the neighborhood, whether or not there was intent.

While living at 16903 Falls Road from 1985 to 1992 we were very annoyed with;

- the noise and dust created by frequent traffic including trucks entering and exiting the property
- the operation of the trucks from early morning hours well into the evening during the week as well as substantial activity during the weekends
- the frequent squealing of car tires when exiting the Woolf property at all times of the day and night
- the noise of some type of pump running at the pond for days at a time including weekends

- the trash (including empty beer bottles) thrown in our yard by people entering their driveway
- the stockpiles of pallets and junked vehicles in the back of their property visible from the back of our property
- the concern for the safety of our family, friends, and neighbors traveling Falls Road past the property considering it is very treacherous even without vehicles pulling in and out into the lanes of oncoming traffic.

From the recent hearing we learn that a complaint was filed by a disgruntled employee and violations were determined to exist. The Woolf's were supposedly totally "*dismayed*" by the fact that they were operating in violation of zoning regulations. However, no immediate action was apparently taken to correct a multitude of problems.

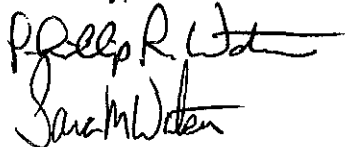
We find it incredulous that a "Special Exception" was filed for when past violations were not corrected. If past history is any indication, the granting of a "Special Exception" would only lead to further disregard for their neighbors and regulations.

Our property is bordered on two sides with the Woolf property and has direct sight lines to a large portion of their property. We feel confident that their current operation as well as any additional operation can only have a negative affect on the value of our property (and other properties in the area).

In conclusion, we firmly believe that the activities that have taken place on the property in the past and the activities that are currently taking place have been allowed to exist only because neighbors such as us have not asked that regulations be enforced. Let it be known that past and current activities are and have been a consistent disturbance to the community.

We thank you for consideration of all these factors as you review this case.

Sincerely,



Phillip R. Watson
Sara M. Watson

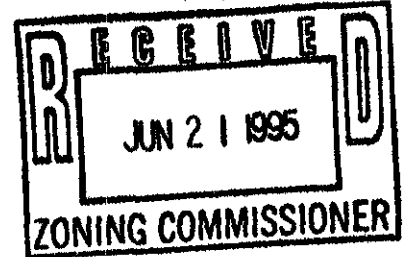
MICROFILMED

LAW OFFICES
BROOKS & SPICER
610 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 298-2800

TELEFAX
(410) 298-2870



June 21, 1995

Mr. Timothy M. Kotroco,
Deputy Zoning Commissioner
Office of Planning & Zoning
Court House, Room 112
400 Washington Avenue
Towson, Maryland 21204

Re: Special Exception - Robert L. Woolf, Jr., et al
16907 Falls Road, Upperco, Maryland 21155

Dear Mr. Kotroco:

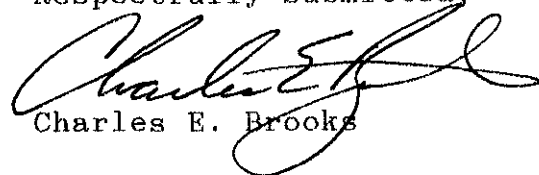
As you are aware on Tuesday, June 13, 1995, the above captioned matter was heard before you.

As you will recall, my client had indicated that he had entered into discussions with the State and he has advised me that the State has now agreed to the removal of the twenty (20) feet of guardrail which would significantly alter the driveway entrance increasing it to twenty eight (28) feet in width.

I did not retain the names and addresses of the persons who were in attendance as a result of which I am incapable of providing them with this information.

If any additional information in reference to the foregoing is required, please do not hesitate to so advise.

Respectfully submitted,

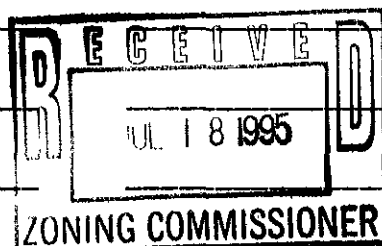

Charles E. Brooks

CEB/lg

cc: Robert L. Woolf, Jr.
Bruce E. Kauffman, Esquire

We oppose the granting of a "Special Exception" for a Landscape Service Operation at 16907 Falls Road

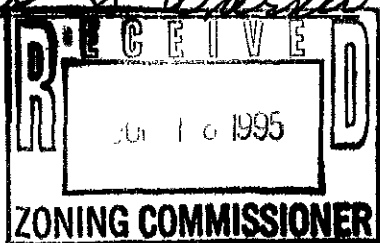
Name	Address
<i>[Signature]</i>	16258 Coisach Mill Rd
Tracy A. Hill	3321 Mt. Carmel Rd
Linda G. Nichols	3321 Mt. Carmel Road
R. L. Pattiello	17815 Hunter Green Rd
Sylvia J. Pattiello	17815 Hunter Green Rd
P. E. Idling	17209 Hunter Green Rd.
Sylvia L. Idling	17009 Hunter Green Rd.
<i>[Signature]</i>	17207 Hunter Green Rd.
George W. Flitter	17200 Hunter Green Rd
Charlotte A. Flitter	17200 HUNTER GREEN RD
Ken Harclay	17202 HUNTER GREEN RD
James G. Muffley	17204 Hunter Green Road
Jimmy L. Latham	17210 Hunter Green Road
<i>[Signature]</i>	17210 Hunter Green Rd - 21155
Myke R. McManis	17224 Falls Rd 21155
Johnny H. McConaugh	17224 Falls Rd. 21155



RECEIVED

We oppose the granting of a "Special Exception" for a Landscape Service Operation at 16907 Falls Road

Name	Address
Pamela T. H... (V.P. NORTH CHARLESTON LANDS CARD)	16959 RIDGE RD UPPERCO
Thomas Savage	17126 FALLS RD. UPPERCO
Dorothy E. O'Toole	16748 FALLS RD UPPERCO
Frank Q. O'Toole	16748 FALLS RD. UPPERCO
Cathleen Wedgeseim	17207 Falls Rd ^{Hunter Green Rd} Upperco 21155
Christina Agnew	17205 Falls Rd Upperco 21155
Eugene H. B... James H. B...	17212 Hunter Green Rd Upperco 21155
James R. Davis	17212 Hunter Green Road Upperco 21155
Robert Beverunga	4801 Mt. Carmel Rd Upperco Md 21155
Charlette Filipiak	7 Hunter Lake Ct Upperco, Md 21155
Nona Pader	17203 Hunter Green Rd Upperco Md 21155
C.E. Wheeler	3618 Mt Carmel Rd " " "
Sherman Sparks	3618 Mt Carmel Rd, Upperco 21155
Helow Sparks	17319 Falls Rd. Upperco, 21155
Sara Kendall	17319 Falls Road Upperco Md 21155
Geraldine M. Shaffer	17209 Falls Rd Upperco MD 21155
17201 Falls Rd Upperco 21155	Louise W. Hale
Carol A. Warner	17200 Falls Rd - Upperco
	16815 Falls Rd Upperco MD 21155



We oppose the granting of a "Special Exception" for a Landscape Service Operation at 16907 Falls Road

Name

Address

Flourence Huber

16807 Gorsuch Mill Rd.

Henry O. Hubich

16807 Gorsuch Mill Road Upperco, Md. 21155

Jan A. Pils

16813 GORSUCH MILL ROAD UPPERCO MD 21155

Patricia A. Pilsen

16813 Gorsuch Mill Rd. Upperco Md 21155

Roger D. Grant

16819 Gorsuch Mill Rd Upperco, Md 21155

Shirley H. Griest

16819 Gorsuch Mill Rd, Upperco, MD 21155

Edward F. Otto Mary

16903 GORSUCH MILL RD, UPPERCO, MD 21155

Angel-G. Marx

16903 Gorsuch Mill Rd, Upperco MD 21155

Mike Betz

16823 GORSUCH MILL UPPERCO MD.

Julia C. Geth

16821 Gorsuch Mill Rd, Upperco MD

Reece E. Geth

16821 Gorsuch Mill Rd, Upperco 21155

Trini Serbace

16776 Gorsuch Mill Rd Upperco, 21155

Frederick A. Hunkel

4004 Old York Rd Monkton 21111

David L. Kunkel

4004 Old York Rd. Monkton 21111

Steve Stanton

5 Hunter Lake Ct, Upperco 21155

RM Wmab

3 HUNTER LAKE CT UPPERCO 21105T

Angela Wmab

3 HUNTER LAKE CT UPPERCO 21155

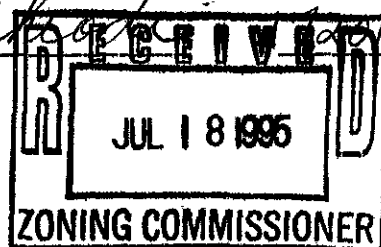
Lindsay Chiodi

17201 Hunter Green Rd. Upperco 21155

Sharon Chiodi

Hunter Green Rd Upperco

21155



RECORDED

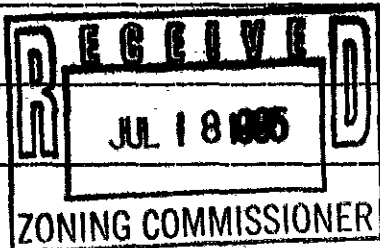
We oppose the granting of a "Special Exception" for a Landscape Service Operation at 16907 Falls Road

Name

Address

[Signature]
Jing A. Hill
Linda G. Nichols
R L Paltella
Sylvia J. Paltella
P. E. Jodis
Lynne L. Jodis
L. W. Jodis
George W. Jodis
Charlotte A. Jodis
Tom Jodis
James G. Muckley
Jing Jodis
~~[Signature]~~
Myle R. Jodis
Janney H. McGonag

16758 Coisach Mill Rd
3321 Mt Carmel Rd
3321 Mt. Carmel Road
17215 Hunter Green Rd
17215 Hunter Green Rd
17209 Hunter Green Rd.
17209 Hunter Green Rd.
17207 Hunter Green Rd.
17200 Hunter Green Rd
17200 Hunter Green Rd
17202 HUNTER GREEN RD
17204 Hunter Green Road
17210 Hunter Green Road
17210 Hunter Green Rd - 21155
17224 Falls Rd 21155
17224 Falls Rd. 21155



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jeffrey Wolf

16907 Falls Rd Upperco MD 21155

Robert L. Wolf, Sr.

" " " " "

Robert L. Wolf III

13039 Beaver Dam Rd Hunt Valley MD 21031

E. J. Zupke

205 Carroll Chase Town

Charles E. Brooks

610 Bosley Ave, Towson, Md.



PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Phil Watson

"

Ethan J Young

Rudolph P. Toth

Wayne R. Hearn

3213 COPENHAVER RD STREET, MD 21154

PROPERTY OWNER: 16901 FALLS RD, UPPERCO, MD

16903 FALLS RD. Upperco, Md. 21155

10 Hunter Lake Ct Upperco MD 21155

16835 FALLS ROAD UPPERCO MD 21155

App. #1

C. RICHARD MOORE
VICE PRESIDENT

PROFILE:

Mr. Moore has 31 years of experience in traffic, transportation, transit, parking, and pedestrian planning and engineering. He has worked for Baltimore County Government for those 31 years in all facets of traffic and transportation planning. This experience includes traffic impact studies, transportation analysis of full scale communities, as well as individual site review of various land uses. Additionally, his experience encompasses travel demand studies, parking studies, transit access studies, traffic signal studies and design, and community transportation studies. Mr. Moore has provided expert testimony before numerous planning boards, elected officials, administrative hearing officers, district and circuit courts, as well as citizens groups.

EXPERIENCE:

Traffic Impact Studies. Conducted and reviewed numerous traffic impact studies for residential, commercial, and mixed use projects, as well as town master plans throughout Baltimore County. This includes preparation of reports and expert testimony in support of rezoning, subdivisions, site plans, and master plan approval.

Conducted large scale multi-modal transportation studies for such communities as White Marsh, Hunt Valley, Owings Mills, Towson, and others. These impact studies included large industrial complexes, such as the Rutherford Business Park, HCFA, town centers of Owings Mills, White Marsh, Towson, Loveton, as well as others while in Baltimore County for the last 31 years. Numerous large and small scaled residential projects, such as Owings Mills New Town, Loveton Farms, Honeygo, Cockeysville, Randallstown, and others.

Traffic Signal Operations. Conducted numerous studies for the installation and modernization of over 400 traffic signals in Baltimore County. This included studies to determine the need for traffic signals, as well as studies analyzing the signal timing and their coordination in signal systems in the various systems throughout the county. Installed and designed the first digital computerized signal system on the East Coast. Participated in the many years of continued upgrading of this signal system with improved signal technology and signal timings.

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Transportation Corridor Studies. Provided traffic and transportation expertise as a member of the team of planners, engineers, and others for such arterials as Perry Hall Boulevard, Owings Mills Boulevard, Red Run Boulevard, Rossville Boulevard, as well as others during the 31 growth years in Baltimore County Development. These studies required analysis of the land use and a determination of future traffic volumes to ensure adequate design.

Traffic and Transportation Regulations. Supervised and prepared traffic and transportation regulations for over 100,000 traffic signs and markings in Baltimore County. Also, prepared the residential permit parking law, which was accomplished with numerous community groups attempting to resolve parking problems within their communities. Provided expertise in developing the transportation element of Baltimore County Basic Services legislation.

Transit Impact Analysis. Conducted numerous access studies and participated in the planning of the MTA's Metro Rail Line to Owings Mills, as well as the Light Rail to Timonium. This included Highway Capacity Analyses, traffic signal design, access requirements, as well as adjacent land use requirements. Also participated in the analysis of the Towson Transit Center. Additionally, participated in the semi-annual review of the bus routes in Baltimore County and adjustments to the routes as necessary.

Regional Transportation Studies. Participated with county planning agencies, mass transportation agencies, State Highway Administration, and the Baltimore Council of Governments in regional transportation needs and requirements.

Neighborhood Traffic Studies. Numerous neighborhood traffic studies requiring close coordination with many community groups throughout the county concerning speeding, truck traffic, cut through traffic, parking problems, traffic problems generated by development, and accidents (both pedestrian and vehicular) have been conducted with great success. Some of the communities involved were Loch Raven Village, Catonsville, Reisterstown, Timonium, Hawthorne, and Lochearn.

Transportation Demand Management. Coordinated and participated for over 20 years in the County's Ride Sharing Program. This program was utilized to encourage motorists to car pool, use mass transit, use of flexible work hours, use of bicycles, as well as other tools to reduce the demand on the road system by vehicular traffic. This program increased the importance with the passage of the Clean Air Act. This required our working closely with developers and property owners to reduce peak hour vehicular traffic.

Pedestrian Studies. Conducted pedestrian studies as part of the overall transportation plans in Towson, as well as numerous other communities throughout Baltimore County. This included analysis of pedestrian trips to the many schools, as well as working with the Coalition of the Handicapped to improve their access.

Traffic and Transportation Studies. As the analysis of the traffic and transportation needs on the 2,500 miles of county road were conducted, traffic count studies, highway capacity studies, intersection operational studies, channelization and access studies, truck studies, accident studies, and parking studies were required.

Environmental Impact Studies. Prepared the transportation components for numerous environmental documents required for over 15 years of transportation studies.

Traffic Accident Investigation. Prepared detailed Traffic Engineering studies and traffic accident analysis and provided expert testimony in District and Circuit Courts.

EDUCATION: Bachelor of Science, Civil Engineering, North Carolina State University, Raleigh, North Carolina 1965

Professional Program in Urban Transportation, Carnegie-Mellon University 1972

Various traffic and transportation short courses:
- Short Course in Traffic Engineering, University of Maryland, 1966
- Urban Transportation Short Course, Georgia Tech, 1966
- Traffic Management, Northwestern University, 1977
- Highway Capacity Manual, Institute of Transportation Engineers, 1986

- Freeway Incident Management, ITE, 1986
- Trip Generation Studies, ITE, 1988
- Traffic Signal System Coordination, Georgia Tech, 1996
- Traffic Engineering Short Course, Georgia Tech, 1996

AFFILIATIONS: Institute of Transportation Engineers
County Engineers Association
American Public Works Association

- PUBLICATIONS:
- Owings Mills Traffic Study Department of Traffic Engineering and Department and Planning, Baltimore County Government, 1985
 - Neighborhood Residential Speed Control, Institute of Transportation Engineers Annual Meeting, Vancouver, British Columbia, 1988
 - Catonsville Traffic Study, Bureau of Traffic Engineering, Department of Public Works, Baltimore County Government, 1991
 - Accident Analysis of Four Way Stop Signs When Used for Speed Control, Bureau of Traffic Engineering, Department of Public Works, 1992

EMPLOYMENT HISTORY:

1996 - present Wells & Associates, Inc., Towson, Maryland (Vice President)

Primary responsibility for traffic engineering and transportation planning services for the Baltimore region.

1993 - 1996 Baltimore County Government, Department of Public Works, Bureau of Highways and Traffic (Bureau Chief)

Supervise, plans, organize and direct the operations of the bureau and its budget of \$15+ million, and its 400 employees. Responsible for all traffic movement, snow removal, and maintenance on 2,500 miles of county roadway. Responsible for transportation planning, traffic signs and markings, signal maintenance and construction, as well as road resurfacing, storm drain maintenance and grass cutting.

- 1987 - 1993 Baltimore County Government, Department of Public Works, Bureau of Traffic Engineering (Bureau Chief)
- Supervise, plan, organize, and direct the operation of the bureau and its budget of \$4+ million, with more than 80 employees. Responsible for all traffic movement on 2,500 miles of county roads with transportation planning, signs, markings, signal maintenance, and construction for a population of 760,000.
- 1985 - 1987 Baltimore County Government, Department of Traffic Engineering (Deputy Director)
- Assists director in planning, organizing, directing and controlling activities in the Department of Traffic Engineering. Assists in policy and administration, establishment of procedures. Preparation and execution of department budget.
- 1969 - 1985 Baltimore County Government, Department of Traffic Engineering, Bureau of Planning and Design (Assistant Traffic Engineer)
- Supervise operation of Bureau of Planning and Design. Plans, prepares and supervises traffic studies and surveys. Prepares designs on traffic signals, channelization, and intersection design. Operation of computerized traffic system. Reviews zoning, building, subdivision, and parking plans.
- 1964 - 1969 Baltimore County Government, Department of Traffic Engineering, Bureau of Planning and Design (Engineer)
- Preparation of signal design. Reviewed and prepared comments on subdivision and zoning plans. Installation of county's first computerized signal system. Analysis of traffic data and preparation of reports.

App. # 2

CURRICULUM VITAE

NORMAN E. GERBER, AICP

35 Pickburn Court Cockeysville, MD 21030

**Business
(410)667-4543**

**Facsimilie
(410)683-4079**

PROFESSIONAL EXPERIENCE

Preparation of Master Plans and Land Use Regulations

Prepared comprehensive, policy, small-area, facility and revitalization plans, capital programs and capital budgets.

Prepared zoning and development ordinances, agricultural land preservation and historic district regulations and growth management programs.

Conducted demographic, transportation, economic and market studies.

Implementation of Plans and Programs

Reviewed and approved new development.

Enforced zoning, agricultural and historic preservation regulations.

Negotiated plan and facilities projects with community groups, local and state legislative bodies and private sector business.

Other

Testified before local, state and national boards, commissions and legislatures on the behalf of plans and programs.

Testified before boards of appeals, circuit courts and the U. S. Tax Court of Appeals on land use issues.

Prepared RFP's, grant applications, selected consultants and administered contracts.

WORK EXPERIENCE

2/88 to present

NORMAN E. GERBER, AICP, Cockeysville, MD

Principal

Private practice as planning consultant specializing in land planning, preparation of land use regulations, property evaluation for potential use and expert testimony in zoning and development issues.

2/89 to 10/90

The City of Laurel, Laurel, MD

The Office of Planning and Zoning

Director

Administered the planning program and enforced the zoning code.

9/80 to 1/88

Baltimore County, Baltimore County Maryland

The Office of Planning and Zoning

Director

Administered the planning program, and the budgets of the Office of Zoning and the Peoples Council. Baltimore County Baltimore County Maryland The Office of Planning and Zoning

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1977 to 1980

The Office of Planning and Zoning
Deputy Director
Designed and supervised the planning program.

1956 to 1977

The Office of Planning and Zoning
Various titles
Performed a variety of planning studies and services.

EDUCATION

Morgan State University, Baltimore, MD
Urban & Regional Planning Masters 1975

The Johns Hopkins University, Baltimore, Md
Bachelor of Science in Engineering, 1963
Minor: Civil Engineering

PROFESSIONAL SOCIETIES

1/69 to Present

American Planning Association
Past member of the Board of Directors and treasurer of the Maryland Chapter.

1/69 to Present

American Institute of Certified Planners

1975 to 1988

The Maryland Association of County Planning Officials
Past President and member of the Board of Directors

2/89 to 10/90

Technical Advisory Committee, the Patuxent River Commission

6/89 to 10/90

The Patuxent River Commission
Alternate Member (for the Mayor)

PERSONAL

1985 to 1988

The University of MD at Baltimore
Advise on planning program

1992 to Present

The Baltimore County Commission for the Disabled, Vice Chairman of the Transportation Committee
Coordinates activities of providers of services.

REFERENCES

Furnished on request.

5. HOURS OF OPERATION: The landscape service business conducted on the property shall be primarily between sunrise and sunset. Protestants understand that Woolf family members drive company vehicles and such activity shall not be construed to be "doing business". Protestants also recognize and understand that on occasion, the hours of operation may be outside the sunrise to sunset limits due to factors beyond Woolf's control.

6. NUMBER OF EMPLOYEES: No more than fifteen (15) employees of the landscape business plus Woolf family members shall be on the property at any one time.

7. EQUIPMENT: Woolf agrees not to have dump trucks on the property for the landscape business in excess of 30 ton capacity. Hydroseeder/water truck units are allowed. Protestants recognize that particular job requirements may necessitate the need for bulldozers, graders and/or bobcats on the property. Bulldozers and graders would normally be for special job requirements and for limited duration.

8. RETAIL SALES: There will be no retail sales of plants, trees, nursery products or landscape materials from the property. Wholesale sales of plant and nursery materials will be allowed.

9. WATER: Water to maintain unplanted plants and trees used in landscape business shall be taken from the pond only.

10. TOTH BUFFER: Woolf is agreeable to maintaining a twenty (20) foot buffer of evergreen trees along the north

boundary line of the Special Exception area and shown on the Plat dated February 28, 1995 prepared by E.F. Raphael & Associates and designed as the north $72^{\circ} 24' 48''$ E 469.97' line. The 20' Buffer Area is shown on the Plat attached hereto and made a part hereof and marked as Exhibit 1.

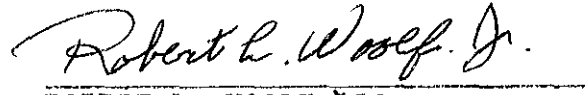
B. Protestants agree to withdraw all opposition to Woolf's request for a Special Exception for Landscape Service Operation now pending before the Board of Appeals of Baltimore County.

C. This Agreement shall be null and void if the Special Exception requested is not granted.

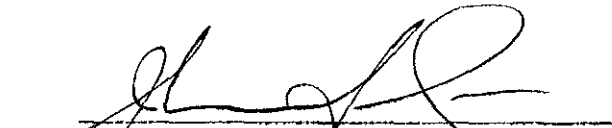
IN WITNESS WHEREOF, the parties hereto or their agents have signed this Agreement.



RUDOLPH R. TOTH



ROBERT L. WOOLF, SR.



J. CARROLL HOLZER,
ATTORNEY FOR ETHAN J. YOUNG,
PHILLIP WATSON, WAYNE R. HESS

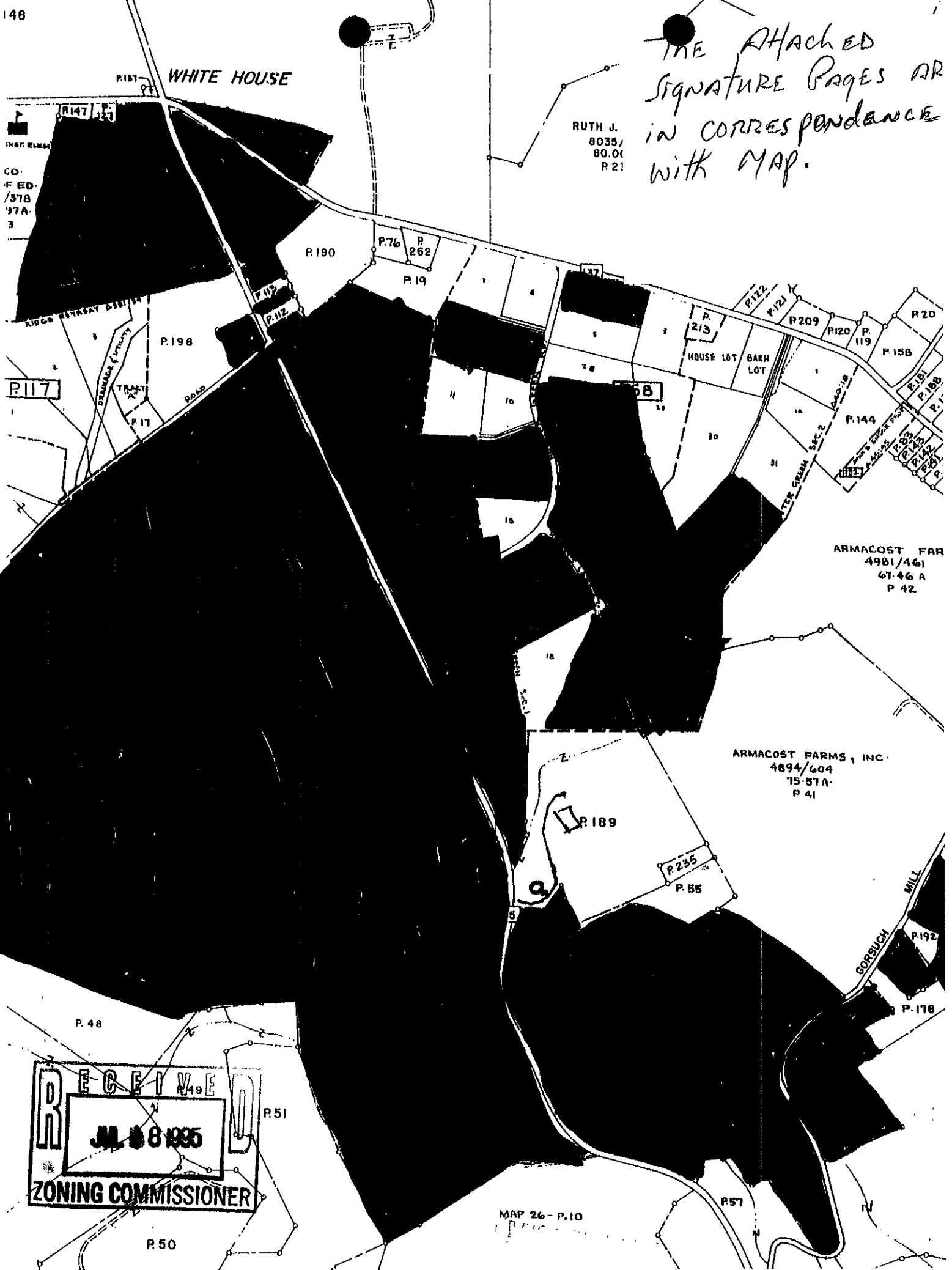
THE ATTACHED
SIGNATURE PAGES ARE
IN CORRESPONDANCE
WITH MAP.

RUTH J.
8035/
80.00
P 21

ARMACOST FAR
4981/461
6T.46 A
P 42.

ARMACOST FARMS, INC.
4894/604
15.57A
P 41

MAP 26 - P.10



RECEIVED
JUL 18 1995
ZONING COMMISSIONER

ARMACOST FARMS, INC.
181/461
67.46 A
P.42

HALET

PETITIONER'S EXHIBIT ³

ARMACOST FARMS, INC.
4894/604
75.57A
P.41

ROBERT L. WOOLF
6645 / 159
28.08A
P.189

CARROLL W. SEABREASE
1958/147

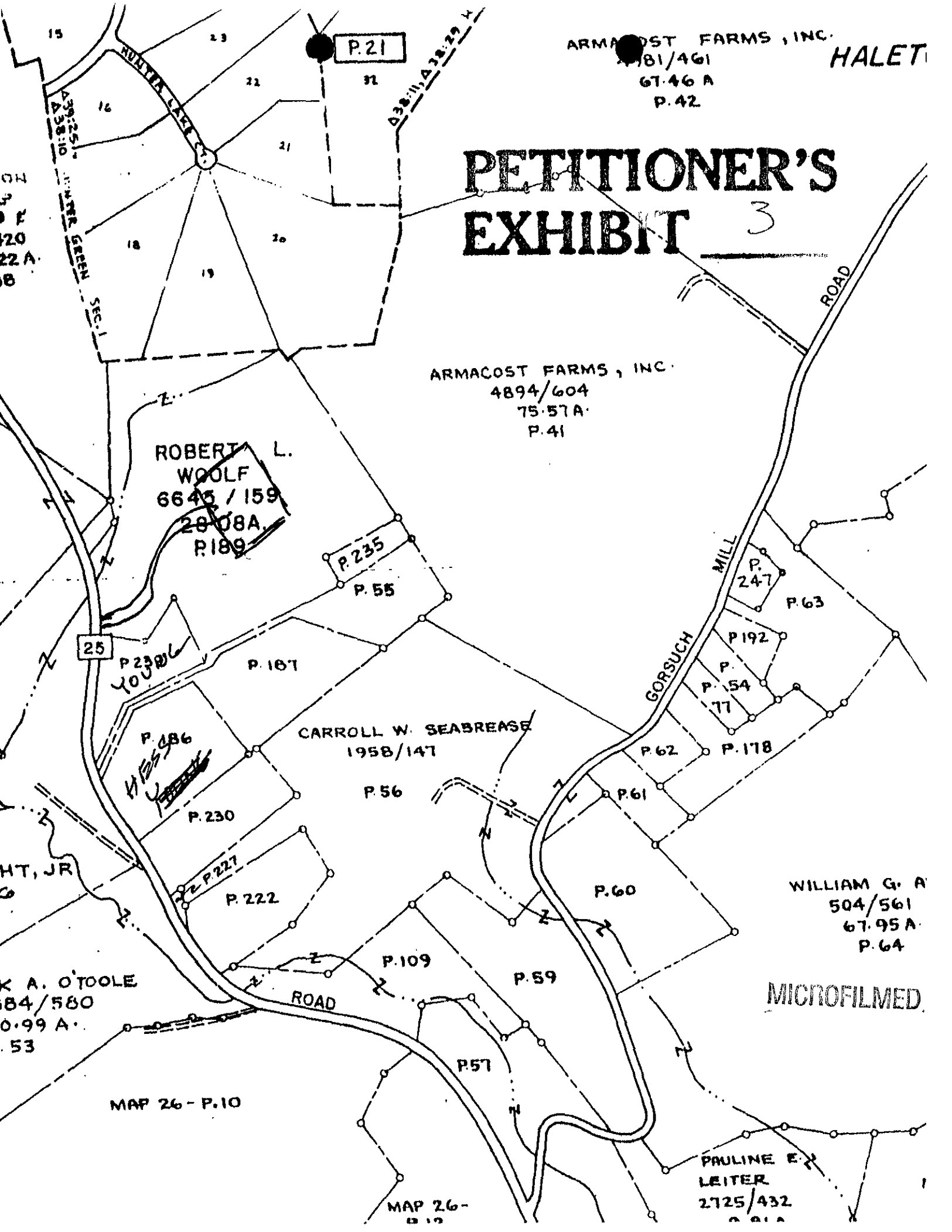
WILLIAM G. A
504/561
67.95A
P.64

MICROFILMED

PAULINE E. LEITER
2725/432

MAP 26 - P.10

MAP 26 - P.12



06/13/95
08:39:41

MARYLAND FIRE INCIDENT REPORTING SYSTEM
FIRE INCIDENT REPORT

BALTIMORE COUNTY FIRE DEPARTMENT

A FDID INCIDENT NO. EXP. MO/DA/YR DAY OF WEEK ALARM ARRIVE IN SERV.
03144 943380390 00 12/04/94 1 SUNDAY 09:14 09:19 09:56

B SITUATION FOUND
16 EXPLOSION, NO AFTER-FIRE
ACTION TAKEN
3 INVESTIGATION ONLY
MUTUAL AID

C FIXED PROPERTY USE
881 RESIDENTIAL PARKING GARAGE
IGNITION FACTOR
41 FUEL SPILLED, RELEASED ACCIDENTAL

D INCIDENT ADDRESS
16907 FALLS RD
ZIP CODE 21155 PHANTOM BOX 4916

E OCCUPANT NAME
WOOLF, ROBERT
TELEPHONE 410-584-2925 ROOM OR APARTMENT

F OWNER NAME
NA
OWNER ADDRESS 16907 FALLS ROAD
TELEPHONE 410-555-1212

G METHOD OF ALARM
1 TELEPHONE DIRECT TO FIRE DEPARTMENT
NO. OF ALARMS 1

H NO. PERSONNEL 009 NO. ENGINES 001 NO. AERIAL APP. 000 NO. OTHER VEHICLES 001

I NO. OF INJURIES NO. OF FATALITIES
FIRE SERVICE 000 CIVILIAN 001 FIRE SERVICE 000 CIVILIAN 000

J COMPLEX
98 NO COMPLEX
MOBILE PROPERTY TYPE
08 MOBILE PROPERTY TYPE NOT APPLICABLE

K AREA OF ORIGIN
47 GARAGE, CARPORT, VEHICLE STORAGE
EQUIPMENT INVOLVED IN IGNITION
98 NO EQUIPMENT INVOLVED

L FORM OF HEAT OF IGNITION TYPE MATERIAL IGNITED FORM MATERIAL IGNITED
40 HEAT FROM OPEN FLAME, 23 GASOLINE 65 FUEL

M METHOD OF EXTINGUISHMENT
2 MAKE-SHIFT AIDS
LEVEL OF FIRE ORIGIN
1 GRADE LEVEL TO 9 FEET ABOVE GRADE
ESTIM. TOTAL LOSS CONTENTS ONLY
\$500 \$0

N NUMBER OF STORIES
1 1 STORY
CONSTRUCTION TYPE
1 FIRE RESISTIVE

O EXTENT OF DAMAGE
FLAME: 3 CONFINED TO ROOM 8 NO DETECTORS PRESENT
SMOKE: 3 CONFINED TO ROOM
DETECTOR PERFORMANCE
SPRINKLER PERFORM.
8 NO EQUIPMENT PRESE

Q TYPE OF MATERIAL GENERATING SMOKE
23 GASOLINE
AVENUE OF SMOKE TRAVEL
8 NO SIGNIFICANT AVENUE OF SMOKE TRA

R FORM OF MATERIAL GENERATING MOST SMOKE
65 FUEL

S MOBILE PROPERTY:
YEAR MAKE MODEL SERIAL NO. LICENSE NO.

T EQUIPMENT INVOLVED IN IGNITION:
YEAR MAKE MODEL SERIAL NO.

REMARKS:
CO RUN#494
ENG442#218 19 MILES
SU444#113 19 MILES 3.5 GALLONS
GASOLINE ON GARAGE FLOOR FOUND IGNITION SOURCE AND IGNITED;
PATIENT REFUSAL IS ATTACHED FOR MINOR FLASH BURN TO SIDE OF FACE

MEMBER MAKING REPORT: _____ DATE: _____
06/13/95 MARYLAND FIRE INCIDENT REPORTING SYSTEM

08:39:41

FIRE INCIDENT REPORT

BALTIMORE COUNTY FIRE DEPARTMENT

VEHICLE ID: E442

OFF: V000541 KEARNEY, PHILIP R.
DRIV: V000006 BOLLINGER, DANIEL T.
CREW: V440011 BOLLINGER, KENNETH C.
V440187 CUNNINGHAM, GERALD J.
V440160 BILLETT, CHRISTOPHER C
V440190 SPARKS, JASON

VEHICLE ID: SU444

OFF: V440167 TRAUTMAN, BRENT
DRIV: V440086 SMITH, WAYNE G.
CREW: V490062 BELT, JR, WILBUR B.

STANDBYS:

V002250	RUHL, THOMAS E.	V440136	HOOD, MICHAEL L.
V440152	POWERS, JAMES P.	V440174	GRANGER, DEBORAH L.
V440179	TRAUTMAN, ERIC W.	V440188	WARNS, ROBERT D.
V440194	MURPHY, BILL		

**PROTESTANT'S
EXHIBIT NO. 3**

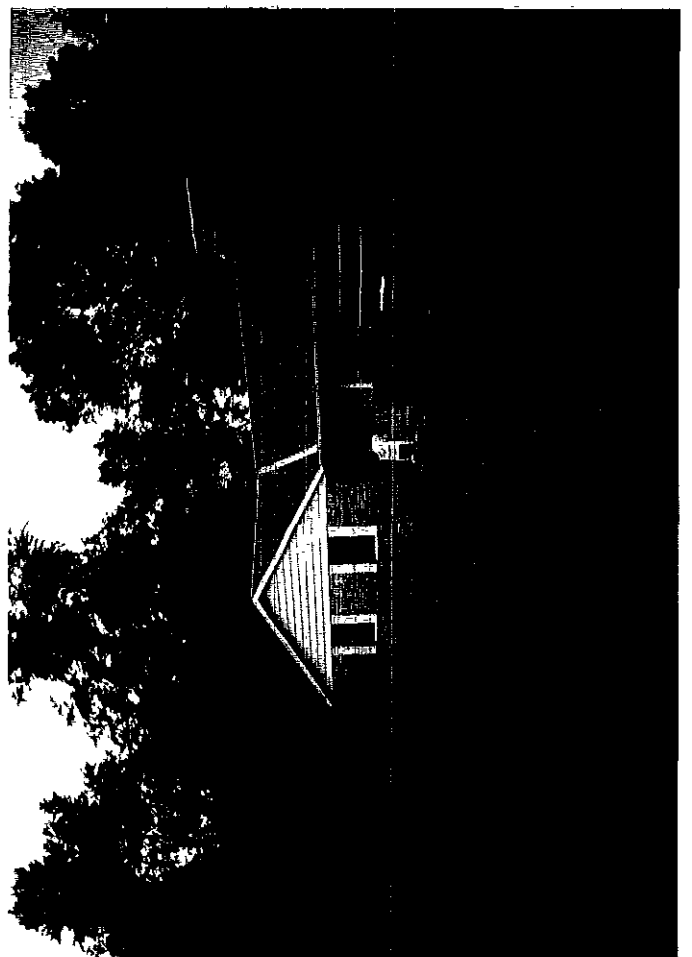
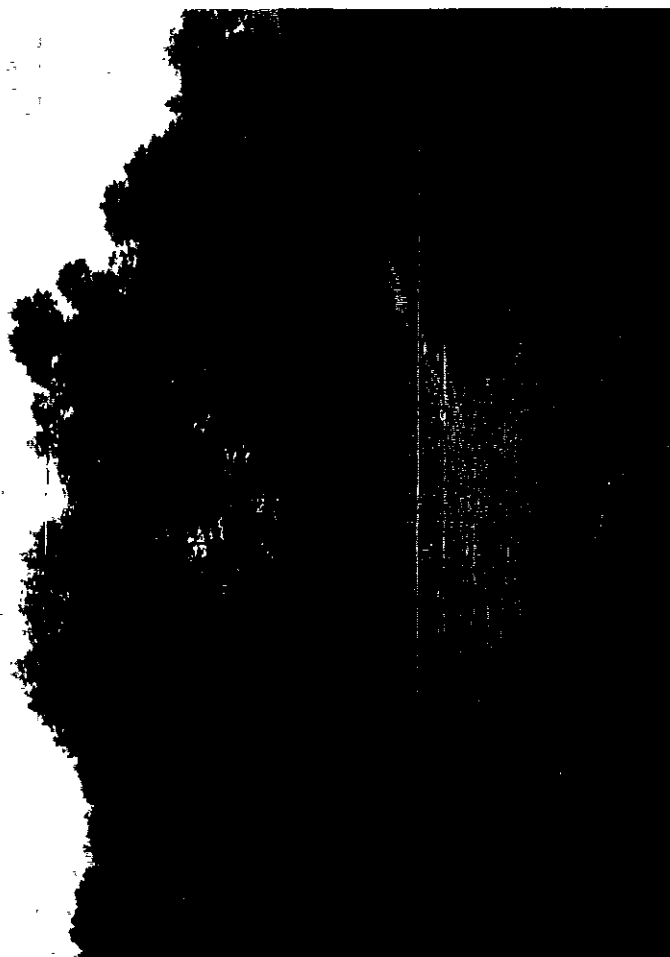
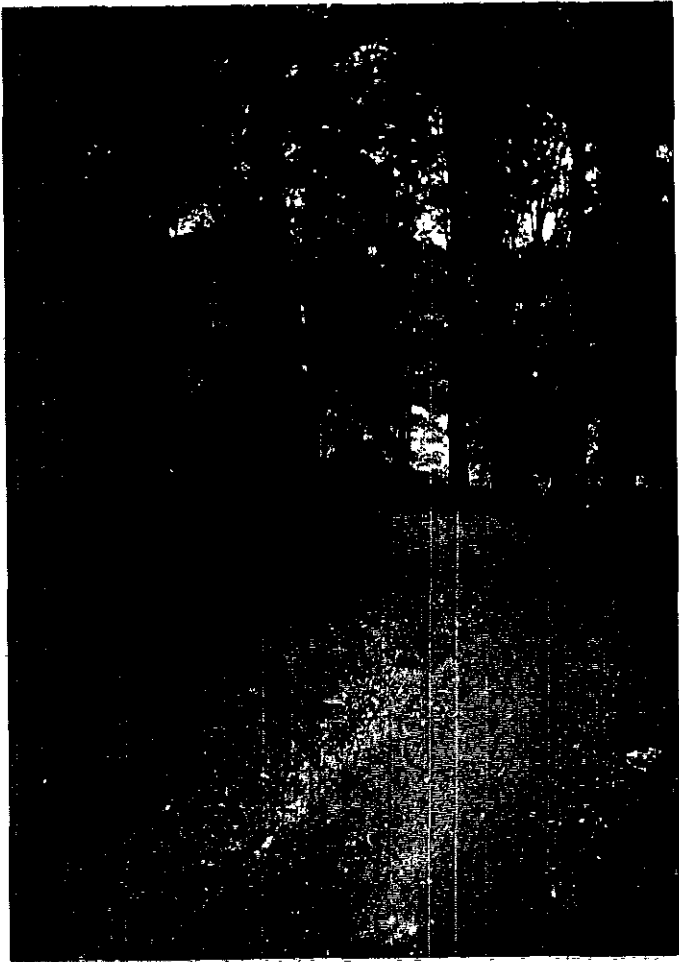
95-409-X



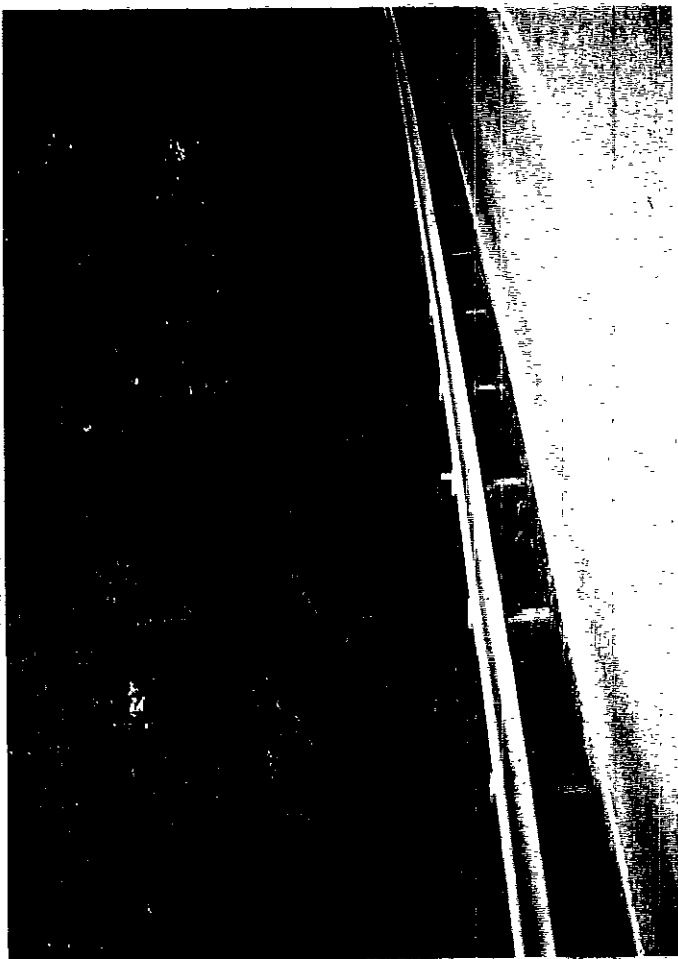
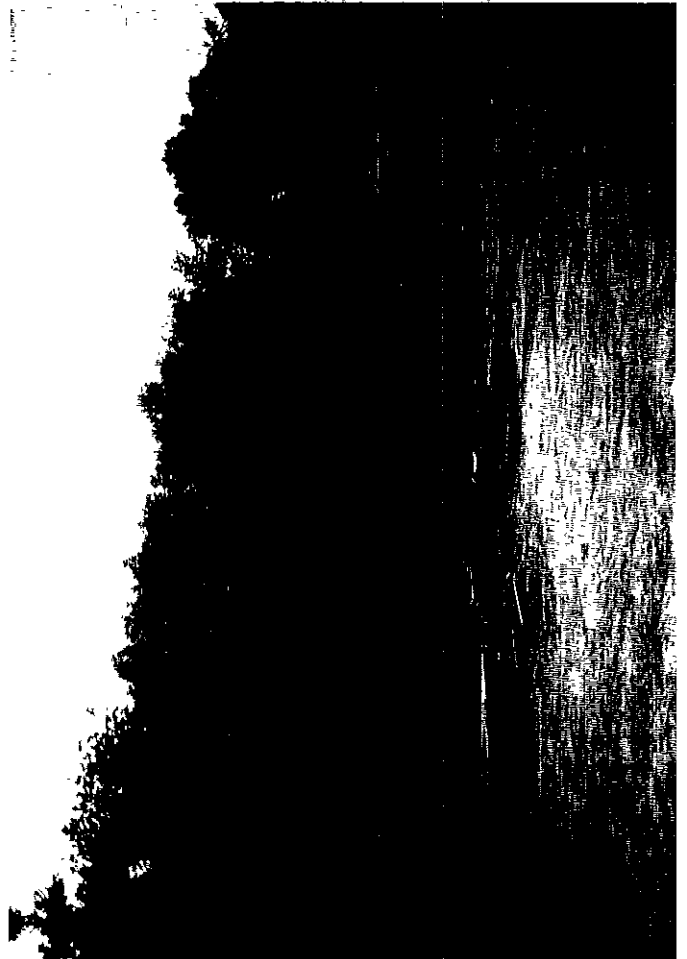
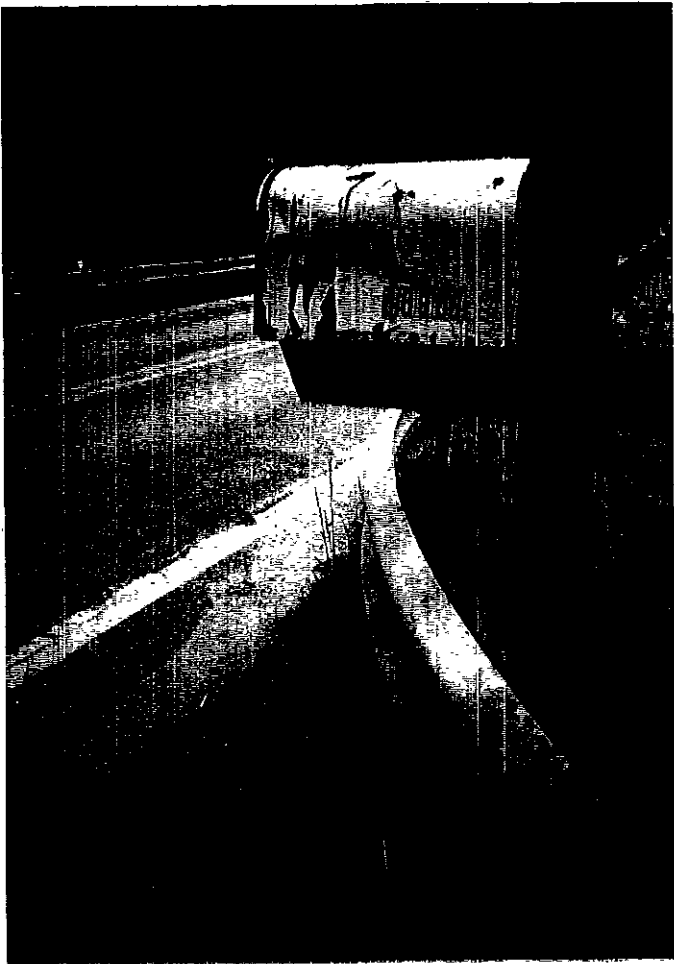
409

10/11/13

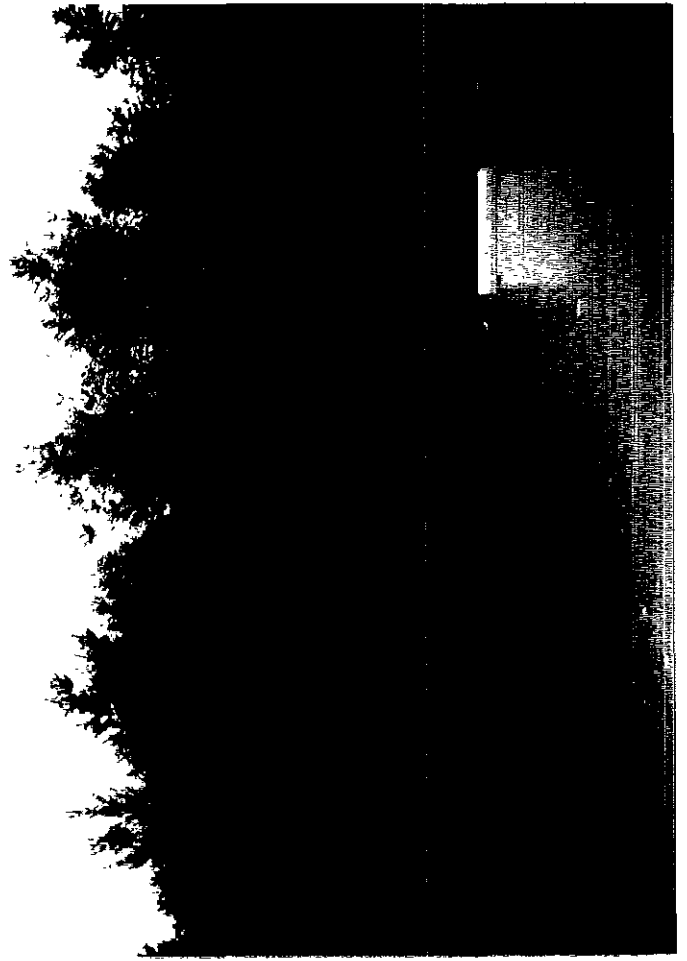
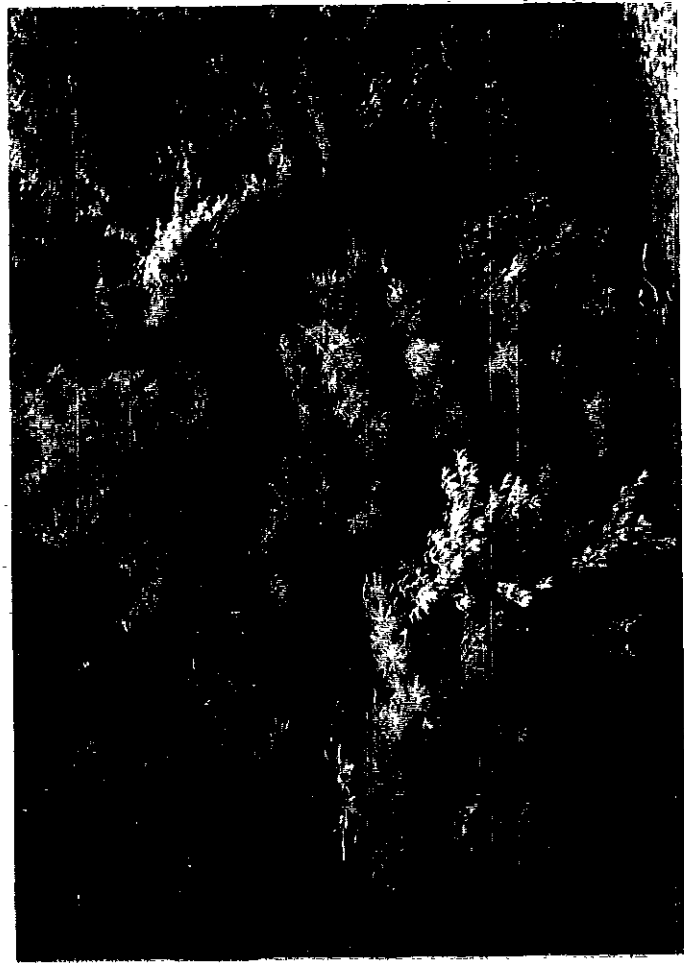
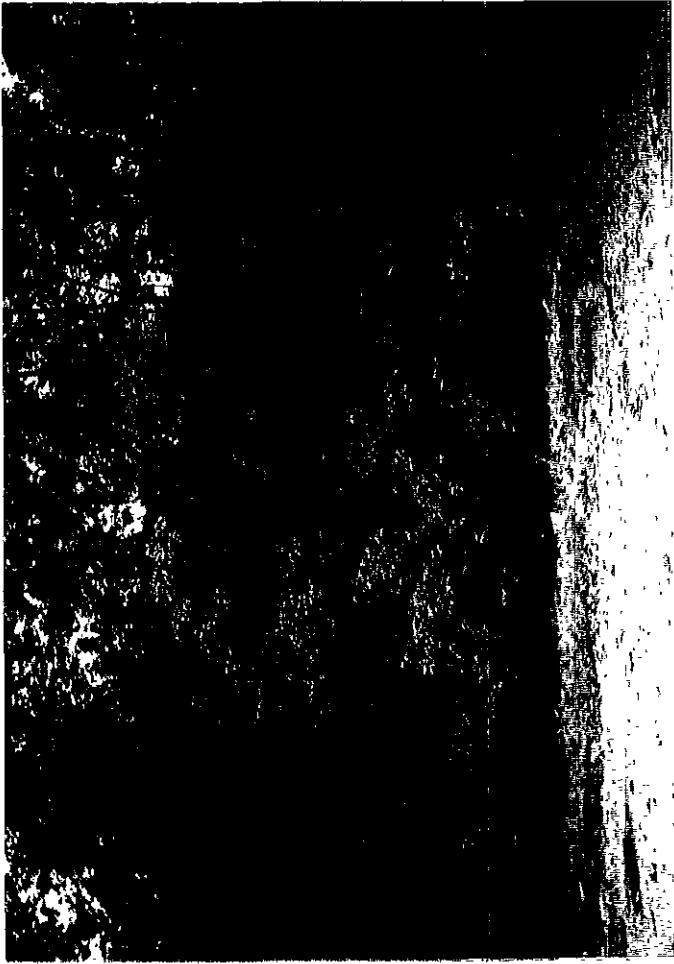
Petitioner's Exhibits



Petitioner's Exhibits



Petitioner's Exhibits



Michael D. Imbierowicz, R.S.
Sanitarian — Waste Management Division



Baltimore County
Department of Environmental Protection
& Resource Management
Waste Management Division
401 Bosley Avenue
Towson, Maryland 21204
(410) 887-3745, Fax: (410) 887-4804



Protestant's
EXHIBITS





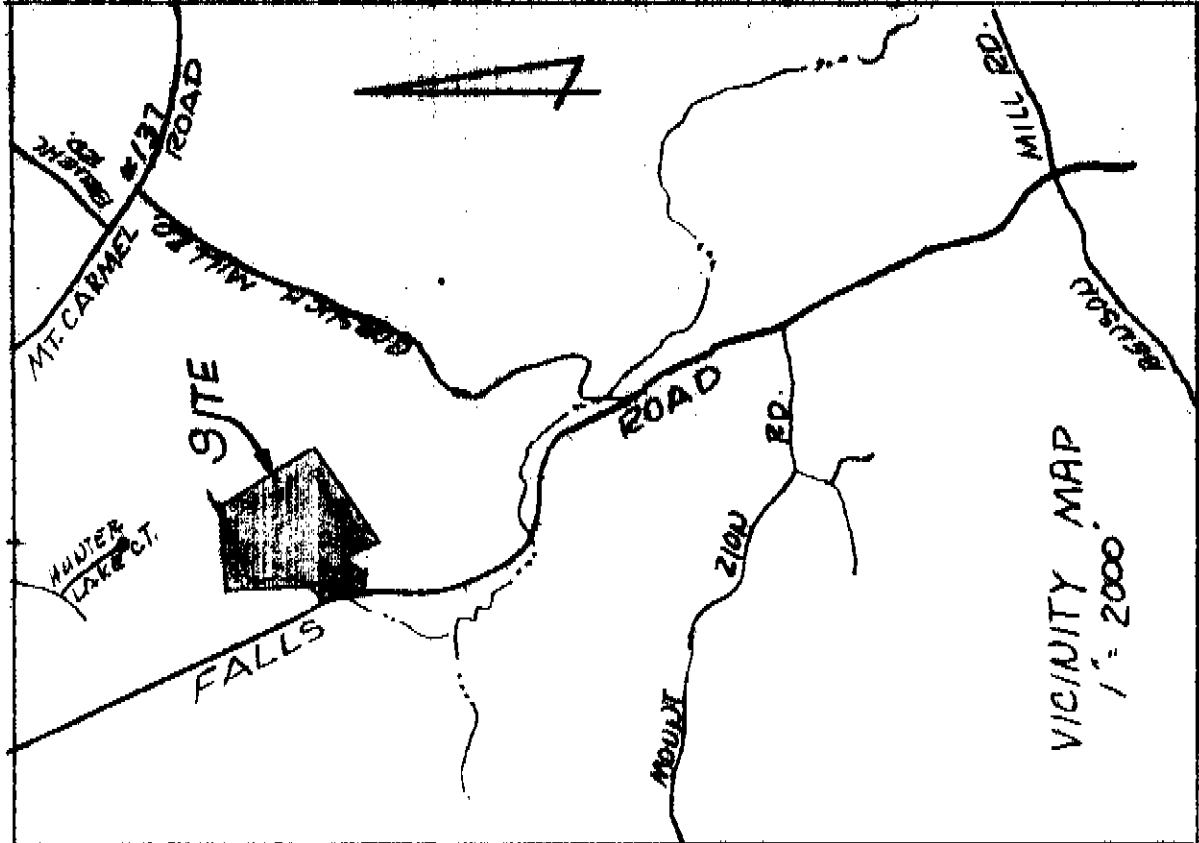
Protestant's
Exhibits

The Attached
Signature Pages ARE
in Correspondence
with Map.

RUTH J.
8035/
80.01
P. 21



RECEIVED
JUL 18 1995
ZONING COMMISSIONER



GENERAL NOTES

EXISTING ZONE RC-2 ZONE
 AREA OF PROPERTY 28.075 AC.
 PARCEL #1 28.075 AC.
 PARCEL #2 0.974 AC.
 TOTAL 29.049 AC.

EXISTING USE FARM USE & LANDSCAPING
 PROPOSED USE FARM USE & LANDSCAPING
 SERVICE FARM USE & LANDSCAPING
 SERVICE

1) PRIVATE WELL & SEPTIC SYSTEM
 2) 3RD COUNCIL DISTRICT
 3) DEED REF: 6645/59 TAX# 05-12-089250, 05-12-00008269
 4) ZONING SHEETS UN 27H & UN 27G

PARKING DATA

OFFICE 3.3 SPACES/1000'; 5934' 2 SPACES
 EMPLOYEE'S 1/PERMANENT (100000) 12 SPACES
 RESIDENCE 2 SPACES
 PARKING SPACES REQ. 16 SPACES
 PARKING SPACES SHOWN 16 SPACES (16'x20')

PETITIONER'S EXHIBIT

PLAT TO ACCOMPANY PETITION FOR
 SPECIAL EXCEPTION

16907 FALLS ROAD

PROPERTY OF

ROBERT L. WOOLF ETAL.

54 ELECTION DIST.
 SCALE 1" = 100'

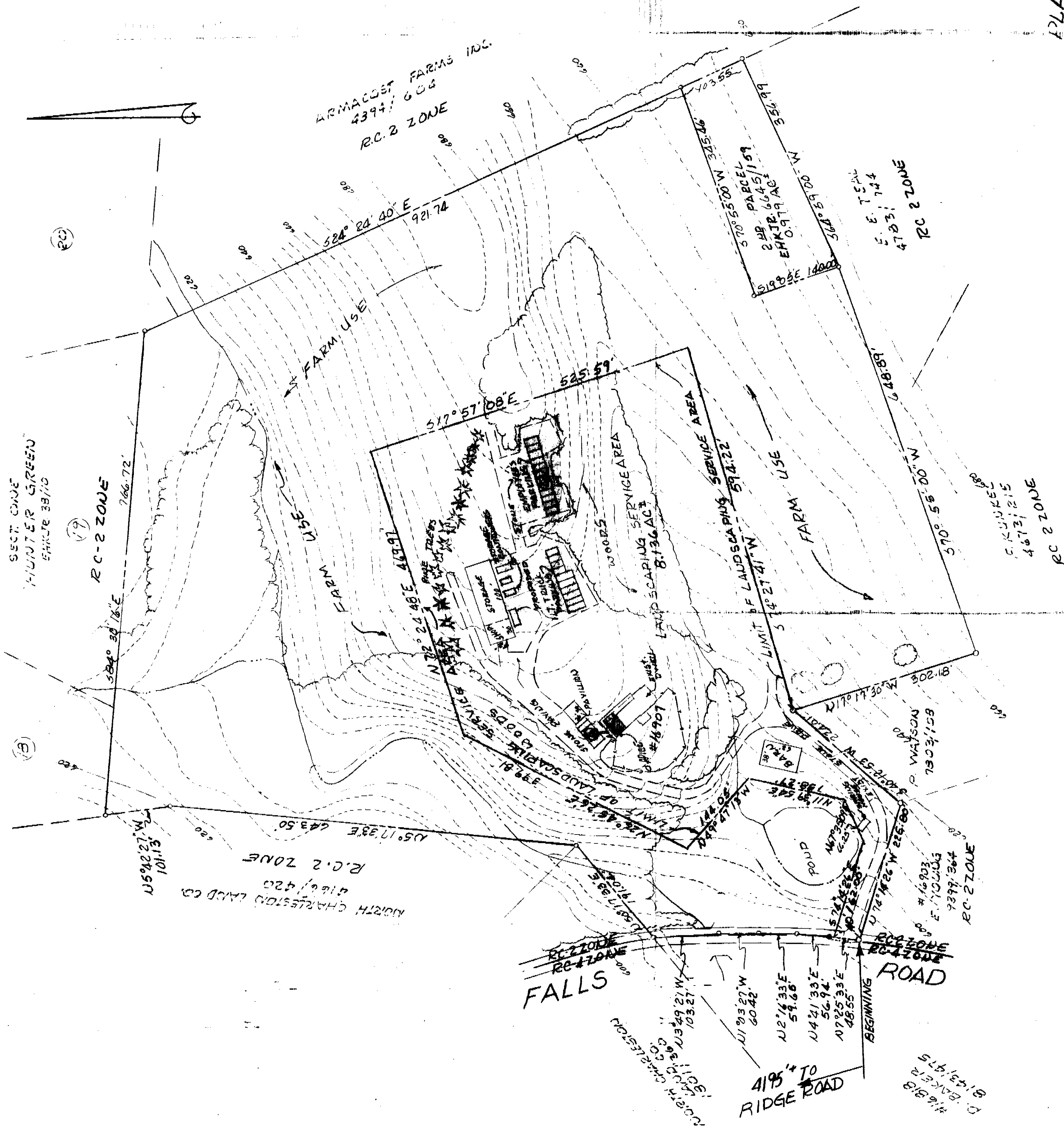
BALTO. CO. MARYLAND
 FEB. 28, 1995
 MICROFILMED

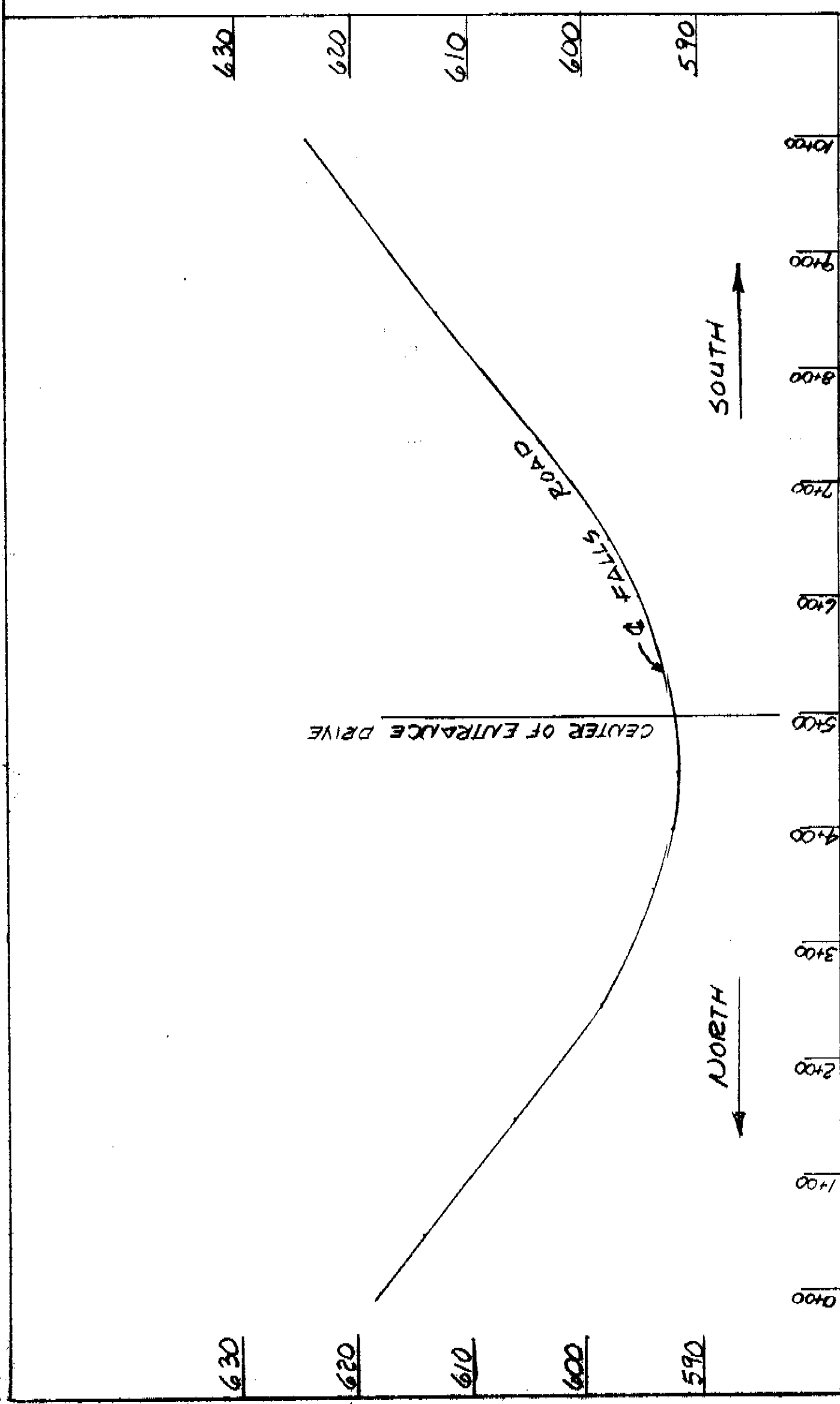
OWNER:
 ROBERT L. WOOLF JR.
 16907 FALLS ROAD
 UPPER CO. MD.
 21155 410-239-2478

REGISTERED
 BALTO. CO. MARYLAND
 TOWSON, MARYLAND 21204



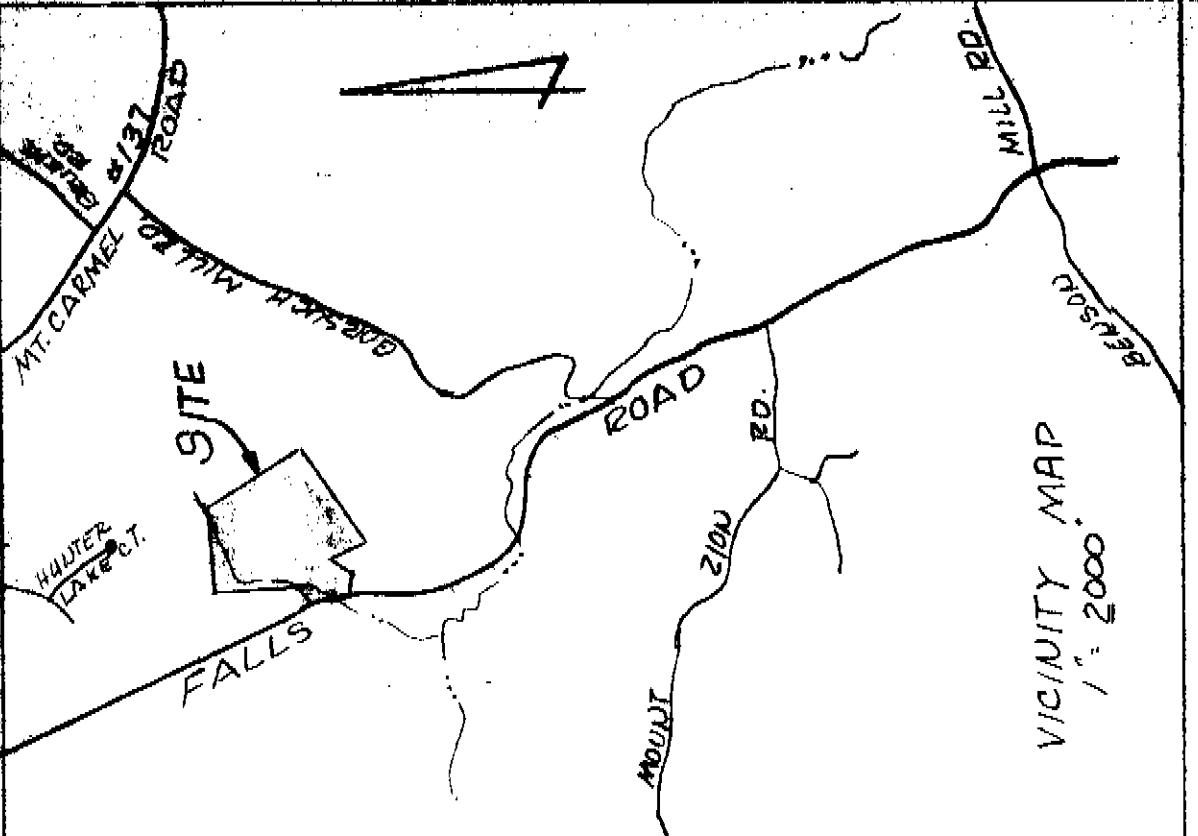
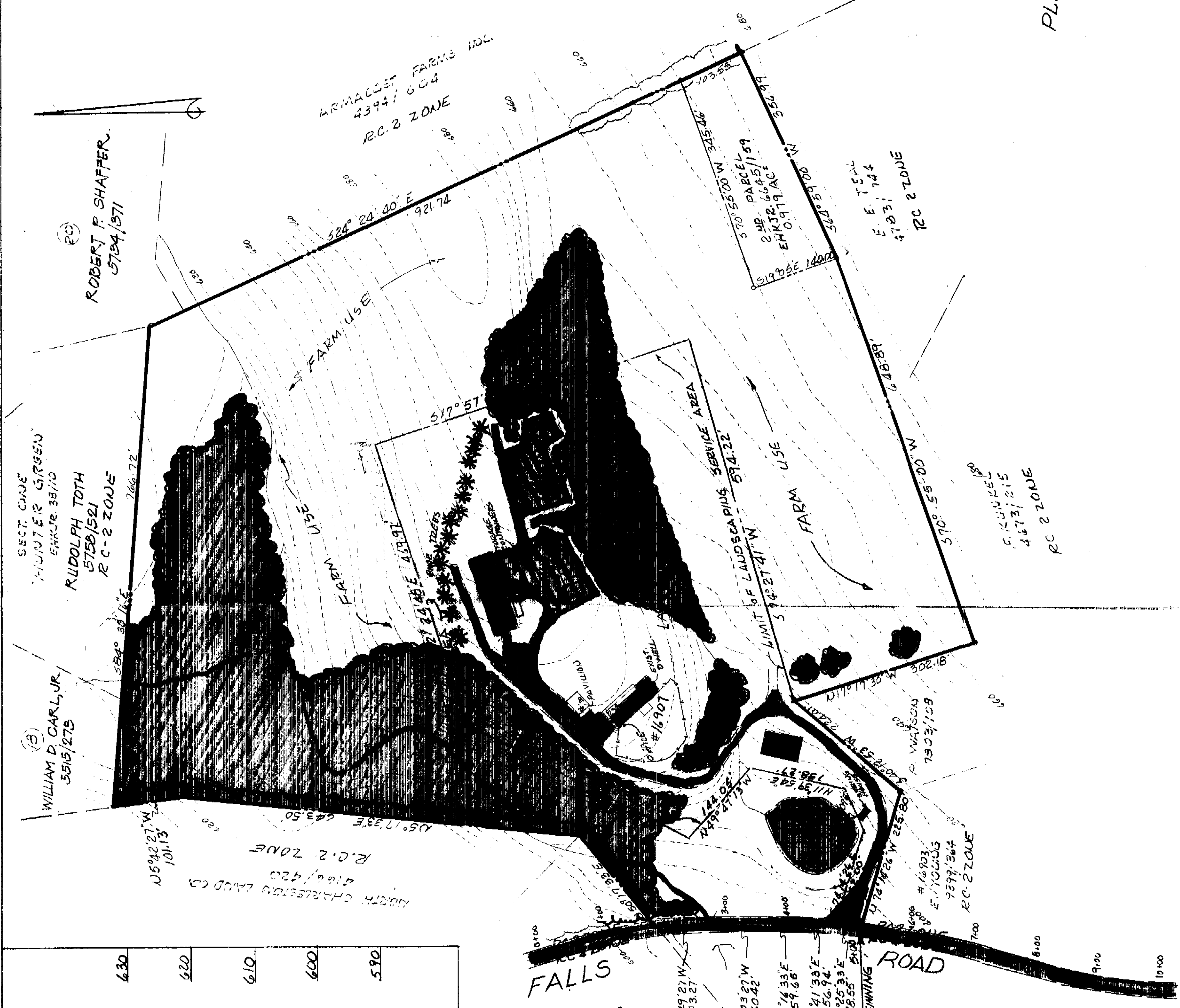
NOTE: OUTLINE SHOWN HEREON WAS
 PLOTTED FROM DEEDS, PLATS, & OTHER
 SOURCES, AND IS NOT A FIELD SURVEY.





FALLS ROAD PROFILE

SCALE: HOR. 1" = 100'
VERT. 1" = 10'



GENERAL NOTES

- EXISTING ZONE RC-2 ZONE
- AREA OF PROPERTY PARCEL #1 28.075 AC.
PARCEL #2 0.919 AC.
TOTAL 29.054 AC.
- EXISTING USE FARM USE & LANDSCAPING SERVICE
- PROPOSED USE FARM USE & LANDSCAPING SERVICE
- 1) PRIVATE WELL & SEPTIC SYSTEM
- 2) 3RD COUNCIL DISTRICT
- 3) DEED REF: 2648/59 TAX# 05-12-099000, 05-16-00008428
- 4) ZONING SHEETS UN 27H & UN 27G

PARKING DATA

- OFFICE 3.3 SPACES/100' : 5938' : 2 SPACES
- EMPLOYEE'S 1/PEREMP (22EMP) : 12 SPACES
- RESIDENCE 2 SPACES
- PARKING SPACES REQ. 1 1/2 SPACES
- PARKING SPACES SHOWN 1 1/2 SPACES (10' x 20')

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION

76907 FALLS ROAD

PROPERTY OF
ROBERT L. WOLF ET AL.

5TH ELECTION DIST.
SCALE 1" = 100'

BALTO. CO. MARYLAD

REVISED 6/27/07

ADDITIONS 2-3-07
WIDENING OF ENTRANCE
ALIGNMENT & PROFILE OF FALLS ROAD

NOTE: OUTLINE SHOWN HEREON, WAS
PLOTTED FROM DEEDS, PLATS & OTHER
SOURCES, AND IS NOT A FIELD SURVEY.



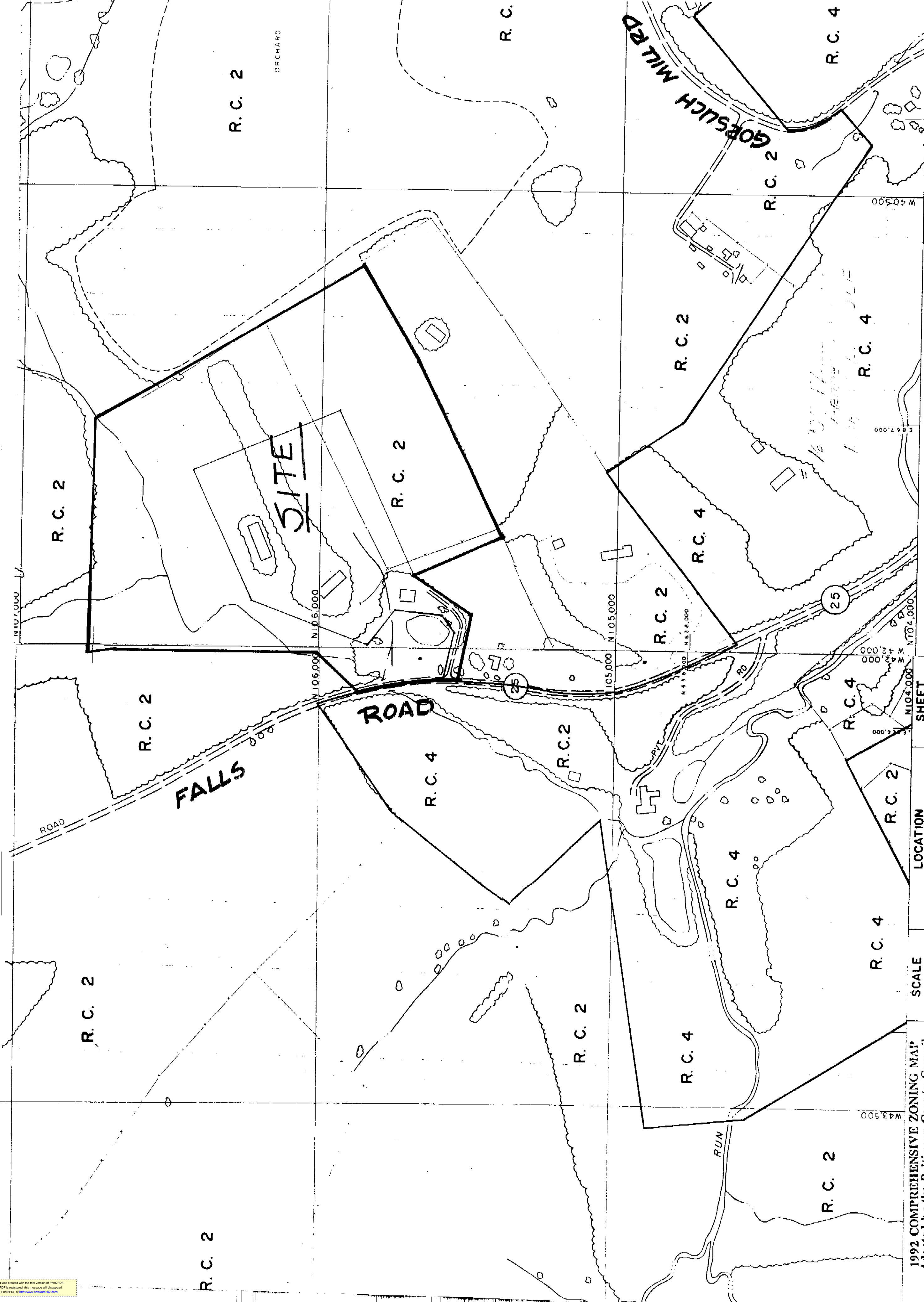
OWNER:
ROBERT L. WOLF JR.
76907 FALLS ROAD
UPPER CO. MD.
21155

EXHIBIT #1

410-239-2478

#9424

0-94-1339



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard IV
Chairman, County Council

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY

LOCATION

SOUTH OF
WHITEHOUSE

SHEET

N. W.
27-H

GG - SE

AW 27G

E. F. RUPPEL & ASSOCIATES
Registered Professional Land Surveyors
205 Courtland Avenue
Towson, Maryland 21204

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS

Debra J. Voss
Chairman, County Council

WA-403

OF

poses of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied and all landscaping operations shall cease and desist within thirty (30) days of the date of this Order.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of July, 1996 that the Petition for Special Exception seeking approval of a landscape service operation on the subject site, in accordance with Petitioner's Exhibit I, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall remove all trash and debris, as well as the junk vehicles, from their property within thirty (30) days of the date of this Order; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this Decision.

TIMOTHY M. KOTRCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 16, 1996

(410) 887-4386

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District - 3rd Councilmanic District
Robert L. Woolf, et ux - Petitioners
Case No. 95-409-X

Dear Mr. Brooks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTRCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Robert L. Woolf, Jr.
16907 Falls Road, Upperco, Maryland 21155

Mr. Eugene F. Raphael
205 Courtland Avenue, Towson, Maryland 21204

Mr. Ethan J. Young, 16903 Falls Road, Upperco, Md. 21155
Mr. Phil Watson, 3213 Copenhaver Road, Street, Md. 21154
Mr. Rudolph R. Toth, 10 Hunter Lake Court, Upperco, Md. 21155
Mr. Wayne R. Hess, 16835 Falls Road, Upperco, Md. 21155

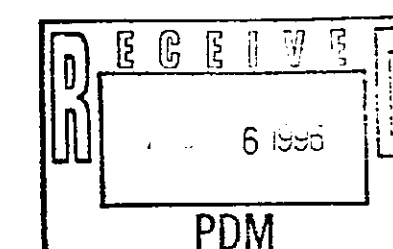
Ms. Donna Thompson, PDM; People's Counsel; Case #file

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
F/S FALLS ROAD * ZONING COMMISSIONER
4,195' SOUTH OF RIDGE ROAD * FOR BALTIMORE COUNTY
16907 FALLS ROAD *
5TH ELECTION DISTRICT *
3RD COUNCILMANIC DISTRICT * CASE NO.: 95-409-X

ORDER FOR APPEAL

Please note an Appeal to the Board of Appeals for Baltimore County from the Decision of the Zoning Commissioner in the above case dated July 16, 1996.

Charles E. Brooks, Esquire
Law Offices of Brooks & Spicer
610 Bosley Avenue
Towson, Maryland 21204
(410) 296-2600
Attorney For Petitioners



LAW OFFICES
BROOKS & SPICER
410 BOSLEY AVENUE
TOWSON, MD 21204
296-2600

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
16907 Falls Road, E/S Falls Road, 4195' * ZONING COMMISSIONER
S of Ridge Road, 5th Election District * OF BALTIMORE COUNTY
3rd Councilmanic * CASE NO. 95-409-X
Robert L. and Sadie F. Woolf *
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

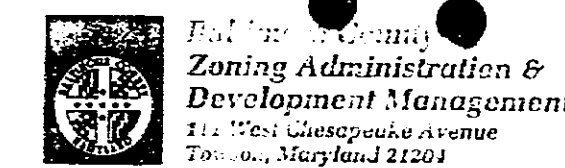
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 5A Date of Posting: 6/24/96
Posted for: Special Exception
Petitioner: Robert L. Woolf, Jr.
Location of property: 16907 Falls Rd, Upperco, Md.
Location of Sign: Posting on property being reviewed
Remarks:
Posted by: [Signature] Date of return: 6/24/96
Number of Signs: 1



receipt
95-409-X
Account: R-001-6150
Number: 403
JAN

Date: 6/24/96
Robert Woolf 16907 Falls Rd
Special Exception 300
16907 Falls Rd
Upperco, Md 21155

33403H00421CHRC
Ba 001246P405-10-95 \$335.00
Please Make Checks Payable To: Baltimore County

Cashier Validation

Petition for Special Exception
to the Zoning Commissioner of Baltimore County

for the property located at 16907 Falls Road, Upperco, Maryland
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein-described property for

Landscape Service Operation
16907 Falls Road, Upperco, Maryland

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and I, or we, agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):
Robert L. Woolf
Sadie F. Woolf
Indie P. Woolf

16907 Falls Road 239-2428
Upperco Maryland 21155

Charles E. Brooks, Esquire
610 Bosley Avenue 296-2600
Towson, Maryland 21204

Charles E. Brooks, Esquire
610 Bosley Avenue 296-2600
Towson, Maryland 21204

ESTIMATED LENGTH OF HEARING
Available for Hearing
Next Time Meeting

RECEIVED BY: SNA DATE: 5-10-95

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 825-3508

RESIDENCE: 771-4392

April 06, 1995

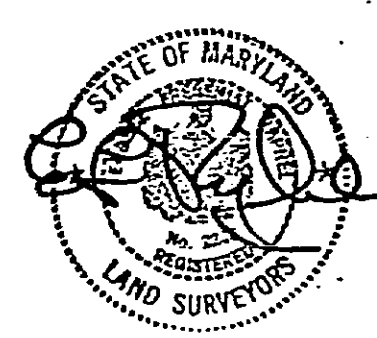
DESCRIPTION TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION
#16907 FALLS ROAD
ROBERT L. WOOLF PROPERTY

BEGINNING FOR THE SAME at a point in the center of Falls Road at a distance of 4195 feet +/- measured Southeastly along Falls Road from the centerline intersection of Ridge Road and Falls Road, said point being the Southwestern most corner of the land of Robert L. Woolf & Sadie F. Woolf, his wife, E.H.K., Jr., 6645 folio 159, running thence in the center of Falls Road and binding on part of the Westernmost outline of said deed, North 07 degrees 25 minutes 33 seconds East 40.00 feet, thence leaving the center of Falls Road and the Westernmost outline of said deed and running for the 8 following courses and distances:
1) South 74 degrees 14 minutes 26 seconds East 162.00 feet
2) North 67 degrees 35 minutes 09 seconds East 66.25 feet
3) North 11 degrees 39 minutes 54 seconds East 158.27 feet
4) North 49 degrees 47 minutes 13 seconds West 144.05 feet
5) North 26 degrees 45 minutes 26 seconds East 399.81 feet
6) North 72 degrees 24 minutes 48 seconds East 469.97 feet
7) South 17 degrees 08 minutes 08 seconds East 525.59 feet
and 8) South 74 degrees 27 minutes 41 seconds West 594.22 feet to the outline of said deed, thence binding on the said outline South 40 degrees 12 minutes 53 seconds West 224.01 feet, and North 74 degrees 14 minutes 26 seconds West 225.80 feet to the place of beginning.

CONTAINING 8.136 Acres of land more or less.

BEING part of the land of Robert L. Woolf & wife, E.H.K., Jr. 6645 folio 159.

BEING ALSO known as #16907 Falls Road, and located in the Fifth Election District of Baltimore County.



E. F. Raphael,
Reg. Prof. Land Surveyor #2246

SNA-S-10-95

403

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein at Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on June 11, 1996 at 9:30 a.m. in Room 115, Old Courthouse.

Case: #95-409-X (Item #03)
16907 Falls Road
E/S Falls Road, 4195' S of Ridge Road
5th Election District
3rd Councilmanic District
Legal Owner(s): Robert L. Woolf, Jr. & Sadie F. Woolf
Hearing: Tuesday, June 11, 1996 at 9:30 a.m. in Room 115, Old Courthouse.
Special Exception for landscape service operation.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTE: (Hearings are held on Wednesdays for special accommodations. Please call 887-3391 for information concerning the hearing. Please call 887-3391 for information concerning the hearing. Please call 887-3391 for information concerning the hearing.)

CERTIFICATE OF PUBLICATION

TOWSON, MD. 5/25, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/25, 1995.

THE JEFFERSONIAN,
A. Henikson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 6/6/96 ACCOUNT: R-001-6150

AMOUNT: \$ 245.00

RECEIVED FROM: Charles E. Brooks, Esquire

FOR: Sign

VALIDATION OR SIGNATURE OF CASHIER

TO: PUTNEY PUBLISHING COMPANY
May 25, 1995 Issue - Jeffersonian

Please forward billing to:

Charles E. Brooks, Esq.
610 Rosley Avenue
Towson, MD 21204
296-2600

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-409-X (Item 403)

16907 Falls Road
E/S Falls Road, 4195' S of Ridge Road
5th Election District - 3rd Councilmanic
Legal Owner(s): Robert L. Woolf and Sedie F. Woolf
HEARING: TUESDAY, JUNE 13, 1995 at 9:30 a.m. in Room 118, Old Courthouse

Special Exception for landscape service operation.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 18, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-409-X (Item 403)

16907 Falls Road
E/S Falls Road, 4195' S of Ridge Road
5th Election District - 3rd Councilmanic
Legal Owner(s): Robert L. Woolf and Sedie F. Woolf
HEARING: TUESDAY, JUNE 13, 1995 at 9:30 a.m. in Room 118, Old Courthouse

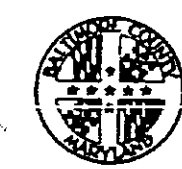
Special Exception for landscape service operation.

Arnold Jablon
Director

cc: Robert and Sedie Woolf
Charles E. Brooks, Esq.
James Mode

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 15, 1996

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c). BOARD'S RULES OF PRACTICE & PROCEDURE, APPENDIX C, BALTIMORE COUNTY CODE.

CASE NO. 95-409-X

ROBERT L. WOOLF, ET UX -Petitioner
E/S Falls Road, 4,195' S of Ridge Road (16907 Falls Road) 5th E; 3rd C

SE -to approve landscape service operation on subject property.

7/16/96 D.Z.C.'s Order in which Petition for Special Exception was DENIED.

ASSIGNED FOR THURSDAY, JANUARY 2, 1997 at 10:00 a.m.

cc: Charles E. Brooks, Esquire Counsel for Petitioners /Appellants
Mr. & Mrs. Robert L. Woolf, Jr. Surveyor Petitioners /Appellants
Eugene F. Raphael

Ethan J. Young Protestants
Phil Watson
Rudolph R. Toth
Wayne R. Hess

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Kathleen C. Bianco
Legal Administrator

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on Recycled Paper



LAW OFFICES
J. CARROLL HOLZER, PA
THOMAS J. LEE
J. CARROLL HOLZER
1927-1999

TOWSON OFFICE
335 WASHINGTON AVENUE
SUITE 827
TOWSON, MD 21204
(410) 887-4981
FAX: (410) 887-4923

CARROLL COUNTY OFFICE
1313 LIBERTY ROAD
ELLSBURG, MD 21784
(410) 795-8556
FAX: (410) 795-5335

December 11, 1996

Robert Schuetz, Chairman
The Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Case No.: 95-409-X
Robert L. Woolf
Hearing Date: Thursday, January 2, 1997

Dear Mr. Schuetz:

Please be advised that I represent Ethan J. Young, Phil Watson, Ruth Rudolph Toth and Wayne R. Hess, Protestants in the above captioned matter, which is scheduled for Thursday, January 2, 1997. I have just been contacted and retained by these individuals and have discovered that I will be out of town on January 2, 1997 as a result of the New Year's holidays. I would respectfully request a postponement in the above captioned matter in order that I may represent these Protestants who appeared and protested below before the Zoning Commissioner.

Please enter my appearance on behalf of these Protestants and notify me of the next scheduled hearing date. Thank you for your consideration in the above captioned matter.

Very truly yours,

J. Carroll Holzer

JCH:alt

cc: Charles E. Brooks, Esq.
Ethan J. Young

C:\LETTERS\SCHUTZ\72.LTR

Handwritten note:
JCH:alt

LAW OFFICES
BROOKS & SPICER
910 ROSLEY AVENUE
TOWSON, MARYLAND 21204

(410) 290-1800

CHARLES E. BROOKS
NANCY M. SPICER, JR.

TELEFAX
(410) 290-1875

December 13, 1996

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Courthouse
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case Number: 95-409-X
Robert L. Woolf
Hearing Date: Thursday, January 2, 1997

Dear Mr. Schuetz:

I am in receipt of a letter under date of December 11, 1996 from J. Carroll Holzer, Esquire requesting that the above captioned matter be postponed.

In view of the fact that Mr. Holzer has advised that he has just recently become involved in this case and that he will be out of town on that date, I will not object to his request for a postponement in the above captioned matter.

Respectfully submitted,

Charles E. Brooks

CEB/ljg

cc: J. Carroll Holzer, Esquire
Robert L. Woolf



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue
December 16, 1996

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 95-409-X IN THE MATTER OF: ROBERT L. WOOLF, ET UX -
Petitioners
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District; 3rd Councilmanic

which was scheduled for hearing on January 2, 1997 has been POSTPONED at the request of Counsel for Protestants, and without objection from Counsel for Petitioners /Appellants; and has been

REASSIGNED FOR: WEDNESDAY, APRIL 2, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Petitioners/Appellants Charles E. Brooks, Esquire
Mr. & Mrs. Robert L. Woolf, Jr.
Eugene F. Raphael

Counsel for Protestants J. Carroll Holzer, Esquire
Protestants: Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess

Norman E. Gerber
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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LAW OFFICES
BROOKS & SPICER
910 ROSLEY AVENUE
TOWSON, MARYLAND 21204

(410) 290-1800

TELEFAX
(410) 290-1875

February 26, 1997

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Courthouse
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: In The Matter of Robert L. Woolf, et ux,
Petitioners
Case Number: 95-409-X

Dear Mr. Chairman:

I am advised that the above captioned matter is scheduled for Wednesday, April 2, 1997 at 10:00 a.m.

I have been advised by Mr. Norman Gerber, one of the essential experts who I will be calling as a witness, that he is not available on that date. As a result of which, it is necessary for me to request a postponement.

I have discussed this request with J. Carroll Holzer, Esquire, who is counsel for the Protestants and he has concurred with me that a postponement would in fact be mutually agreeable in that we are having discussions between the parties in an effort to resolve this issue.

Your kind consideration of this request will be greatly appreciated.

Sincerely,

Charles E. Brooks

CEB/ljg

cc: J. Carroll Holzer, Esquire
Robert L. Woolf, Jr.
Peter M. Zimmerman, Esquire
Arnold Jablon, Director/PDM
Virginia W. Barnhart, County Attorney
Pat Keller, Planning Director
Lawrence E. Schmidt

pp. 20 7/6/97



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue
March 10, 1997

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 95-409-X IN THE MATTER OF: ROBERT L. WOOLF, ET UX -
Petitioners
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District; 3rd Councilmanic

which was scheduled for hearing on April 2, 1997 has been POSTPONED at the request of Counsel for Petitioners/Appellants, and without objection from Counsel for Protestants; and has been

REASSIGNED FOR: TUESDAY, JULY 1, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Petitioners/Appellants Charles E. Brooks, Esquire
Petitioners /Appellants Mr. & Mrs. Robert L. Woolf, Jr.
Surveyor Eugene F. Raphael

Counsel for Protestants J. Carroll Holzer, Esquire
Protestants: Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 7, 1995

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 403
Case No.: 95-409-X
Petitioner: Robert L. Woolf, et ux

Dear Mr. Brooks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 10, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCB/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
May 30, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #403 - Woolf Property
16907 Falls Road
Zoning Advisory Committee Meeting of May 22, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

This project should show a Forest Buffer Easement around all streams, wetlands and floodplains on the entire parcel of land being developed.

Agricultural Preservation Program

Nursery production is an important component of the Baltimore County agricultural industry. This use should be supported if it meets all the standards required in the zoning regulations.

Waste Management

A solid waste processing facility permit would be required for the above listed facility if the operation involves the recycling of solid waste materials delivered from off-site. Solid waste materials could include brush, leaves, grass, stumps (any material which, if not recycled, would normally be disposed of in a landfill).

An application for the permit can be secured by contacting Ms. Deborah Kendall, of the Department of Permits and Development Management at 887-3616.

JLP:sp

WOOLF/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: May 30, 1995

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 30, 1995
Item No. 403

The Developers Engineering Section has reviewed the subject zoning item. Falls Road, Route 25, is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting this road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

If the Special Exception is approved, the entrance to the site will conform to Department of Public Works Standard Plate R-32-A, Rural Commercial Entrance.

RWB:sw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: May 22, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 390, 399, 402, 403 and 407.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long
Division Chief: Carol K. Koon

FK/JL

ITEM399/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4444

DATE: 05/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
Cell 5709-1105

RE: Property Owner: ROBERT L. WOOLF & SADIE F. WOOLF

LOCATION: E/S FALLS RD., 4195' S OF RIDGE RD. (16907 FALLS RD.)

Item No.: 403

Zoning Agenda: SPECIAL EXCEPTION

Comments:

In response to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

2. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
MAY 30 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

PETITION PROBLEMS
AGENDA OF MAY 22, 1995

#402 — MJK

1. Need name of legal owner on petition form.
2. Need authorization for "legal agent" to sign for legal owner.

#403 — JRA

1. Receipt was not given to petitioner or attorney.

#404 — JLL

1. Need typed or printed title of person signing for legal owner.

#406 — JJS

1. Incorrect zoning on petition form - VR 5.5777?

#410 — JJS

1. Need legal owner's telephone number on petition form.
2. Zoning on petition form does not agree with zoning on folder.
3. Review information not completed on bottom of petition form.
4. No descriptions in folder (see John Sullivan's memo).



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

August 9, 1995

Mr. Eugene F. Raphael
205 Courtland Avenue
Towson, MD 21204

RE: Petition for Special
Exception
E/S Falls Road, 4,195' S
of Ridge Road
(16907 Falls Road)
5th Election District
3rd Councilmanic District
Robert L. Woolf, et ux
- Petitioner
Case No. 95-409-X

Dear Mr. Raphael:

Please be advised that an appeal of the above-referenced case was filed in this office on August 6, 1996 by Charles E. Brooks, Esquire on behalf of Mr. and Mrs. Robert Woolf. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

Arnold Jablon
Director

AJ:rye

cc: Mr. Ethan J. Young
Mr. Phil Watson
Mr. Rudolph R. Toth
Mr. Wayne R. Hess
People's Counsel

APPEAL

Petition for Special Exception
E/S Falls Road, 4,195' S of Ridge Road
(16907 Falls Road)
5th Election District - 3rd Councilmanic District
Robert L. Woolf, et ux - Petitioners
Case No. 95-409-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of Property's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestants(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plat to Accompany Special Exception
2A-2J - Eleven photographs
3 - Tax map
4 - Business card

Protestant's Exhibits: 1A-1C - Three photographs
2A-2C - Three photographs
3 - Fire Incident Report

One photograph not marked as an exhibit

Two maps with four corresponding signature pages

Five letters of Opposition

Letter from Charles E. Brooks, Esquire to Timothy Kotroco dated June 21, 1995

Deputy Zoning Commissioner's Order dated July 16, 1996 (Denied)

Notice of Appeal received on August 6, 1996 from Charles E. Brooks, Esquire on behalf of Mr. and Mrs. Robert L. Woolf, Jr.

cc: Mr. and Mrs. Robert L. Woolf, Jr., 16907 Falls Road, Upperco, Maryland 21155
Mr. Eugene F. Raphael, 205 Courtland Ave., Towson, Maryland 21204
Mr. Ethan J. Young, 16903 Falls Road, Upperco, Maryland 21155
Mr. Phil Watson, 3213 Copenaver Road, Street, Maryland 21154
Mr. Rudolph R. Toth, 10 Hunter Lake Court, Upperco, Maryland 21155
Mr. Wayne R. Hess, 16835 Falls Road, Upperco, Maryland 21155
Charles E. Brooks, Esquire, 610 Bosley Ave., Towson, Maryland 21204
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM
Donna Thompson, PDM

11/15/96 -Notice of Assignment sent to following for hearing scheduled for Thursday, January 2, 1997 at 10:00 a.m.:

Charles E. Brooks, Esquire
Mr. & Mrs. Robert L. Woolf, Jr.
Eugene F. Raphael
Ethan J. Young
Phil Watson
Rudolph R. Toth
Wayne R. Hess
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

12/13/96 -Letter dtd 12/12/96 from J. Carroll Holzer, Esquire -- entering appearance as counsel on behalf of Protestants (Young, Watson, Toth and Hess); requesting postponement of hearing scheduled for 1/02/97; will be out of town at that time.

12/16/96 -Letter from Charles Brooks, Counsel for Petitioners /Appellants; no objection to the above postponement request.

- T/C to both parties; case to be postponed to next open date on docket, with consideration being given to an earlier date, should such date become available, upon confirmation of availability of parties.

- Notice of PP and Reassignment sent to parties; matter rescheduled to Wednesday, April 2, 1997 at 10:00 a.m.

2/28/97 -Request for Postponement filed by Charles Brooks due to unavailability of N. Gerber, essential expert; indicates no objection by C. Holzer to this request.

3/10/97 -Upon confirmation w/C. Holzer's office, postponement granted; matter reassigned to and notice sent for Tuesday, July 1, 1997 at 10:00 a.m.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: ROBERT L. WOOLF, ET UX -Petitioners
Case No. 95-409-X

DATE : July 1, 1997 /at conclusion of hearing

BOARD /PANEL : Kristine K. Howanski, Chairman (KKH)
Margaret Worrall (MW)
Thomas P. Melvin (TPM)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Counsel in this matter included Charles E. Brooks, Esquire, and Malcolm F. Spicer, Esquire, Counsel for Petitioners; and J. Carroll Holzer, Esquire, Counsel for Protestants. People's Counsel for Baltimore County did not participate in these proceedings.

PURPOSE --to deliberate issues and matter presented to the Board this date in Case No. 95-409-X.

KKH: We are here to deliberate the special exception request in the matter of Robert L. Woolf, et ux, Case No. 95-409-X. I will continue with my usual statement regarding public deliberation and move on to publicly deliberate.

The requirements for special exception are set forth in section 502 pertaining to special exceptions, and the particular factors for the present situation, we did hear testimony from Mr. Gerber actually supporting that the use requested would not be detrimental to the health, safety and general welfare of the locality. We heard from Mr. Moore and Mr. Gerber in the fact that it will not tend to create congestion in the streets and alleys. Pre-existing situation is not going to change the traffic situation, particularly with the agreement confining it to 15 employees. When I look at (c), we have testimony of Mr. Gerber, again, indicating that the use would not create potential hazard; again, (d), pre-existing operation -- defined under agreement and is a commercial operation and not residential; (d) certainly would be satisfied; would not overcrowd land causing undue population.

Likewise, for the same reason, would not impact schools; testimony of Mr. Gerber again that it would not interfere with adequate light and air. We further have his testimony that it would not be inconsistent with the zoning classification or the spirit and intent of the regulations.

The other areas really do not appear to be impacted; do not

#95-409-X /Robert L. Woolf, et ux /Deliberation

have something that needs to be utilized within two years; present use.

Turning to the landscaping requirements under 404, exhibit itself as well as the testimony of Mr. Nafell and Mr. Gerber support at least what I see as the following:

- Roadway issues not involved.
- Outdoor storage areas are screened; property itself is self-contained within 29 acres.
- There's no sign, and I don't see any provision for a sign.
- We do have horticultural materials on site; confined to wholesale and not retail.
- Nothing seems to be implicated by definition.

We do have the special exception -- has been sought at this point, and we do have testimony acknowledging /supporting the fact that it is sufficient site and designed to protect neighboring dwellings. Location of parking and stop areas to be compatible and screened.

We are allowed to set conditions on special exceptions. The conditions do seem to my view to be dealt with in appropriate fashion in the agreement which is identified now as Joint Exhibit No. 1.

For reasons indicated, my inclination would be to grant the special exception request and have as conditions the substance of what is set forth in the agreement negotiated with Mr. Holzer's clients.

TPM I agree with everything our chairperson has said; raised question about any junk still remaining.

Would grant the special exception.

MW: I would agree with both of you. I was impressed with the ability of the parties to reach an agreement. I agree that conditions should be made a part of the Order. I think Mr. Gerber made a good point that this landscaping service operation is very much like modern farming operations and is consistent with other uses in the area under R.C. 2 zoning. I think it definitely meets the spirit and intent and is properly screened, and does not have any of the problems that could be associated if conditions are not made.

I would agree with the granting of the special exception.

2

#95-409-X /Robert L. Woolf, et ux /Deliberation

KKH: Would you be comfortable if we had in there some sort of understanding that vehicles that end up in a junked condition should be removed?

TPM: I believe it should be in there.

KKH: What they have is no untagged vehicles on the property.

MW: There is plenty of equipment that when it breaks down, you haul it off to the woods and forget about it.

KKH: That is what we are looking at; another issue that can be dealt with outside of a special exception -- with zoning.

MW: It can be dealt with in Zoning.

KKH: We will issue a written Order granting the special exception with the agreement as conditions; you have 30 days from the date of the written decision for appeal.

Respectfully submitted,

Kathleen C. Bianco
Kathleen C. Bianco

3

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 2, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed File: Case No. 95-409-X
Robert L. Woolf, et ux
5th E; 3rd C

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

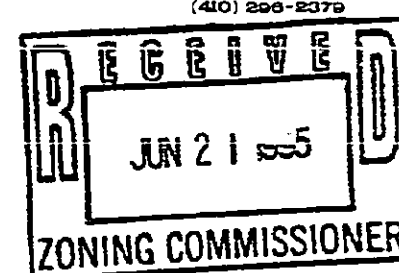
Attachment (Case File No. 95-409-X)

LAW OFFICES
BROOKS & SPICER
810 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
MALCOLM F. SPICER, JR.

(410) 280-2850

TELEFAX
(410) 280-8239



June 21, 1995

Mr. Timothy M. Kotroco,
Deputy Zoning Commissioner
Office of Planning & Zoning
Court House, Room 112
400 Washington Avenue
Towson, Maryland 21204

Re: Special Exception - Robert L. Woolf, Jr., et al
16907 Falls Road, Upperco, Maryland 21155

Dear Mr. Kotroco:

As you are aware on Tuesday, June 13, 1995, the above captioned matter was heard before you.

As you will recall, my client had indicated that he had entered into discussions with the State and he has advised me that the State has now agreed to the removal of the twenty (20) feet of guardrail which would significantly alter the driveway entrance increasing it to twenty eight (28) feet in width.

I did not retain the names and addresses of the persons who were in attendance as a result of which I am incapable of providing them with this information.

If any additional information in reference to the foregoing is required, please do not hesitate to so advise.

Respectfully submitted,

Charles E. Brooks
Charles E. Brooks

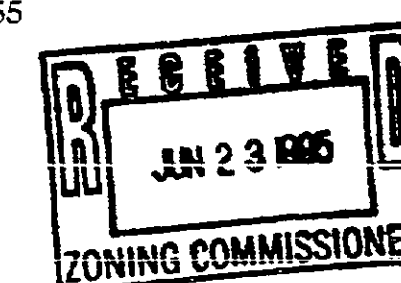
CEB/lg

cc: Robert L. Woolf, Jr.
Bruce E. Kauffman, Esquire

John B. Gillett
6 Hunter Lake Court
Upperco, Maryland 21155
June 12, 1995

Baltimore County Zoning Board
Towson, MD 21204

Subject: Change of Zoning
Woolf Property
16907 Falls Road



Dear Members of the Zoning Board:

My wife and I live in Hunter Green subdivision about 1,800 feet from the Woolf property. I am writing to express our concern about a request for commercial zoning for the property.

I am a registered professional engineer. Since 1951 I have either worked for or been a principal in a consulting engineering firm practicing civil engineering in the Baltimore area. Besides my personal concerns about the property, I also have professional concerns.

We understand that the proposed use is for a landscaping business, which includes a landfill for unusable products, such as shrubbery waste and possibly herbicides and insecticides.

The only commercial area on Falls Road between Black Rock Road (Maryland Route 88) and the Carroll County line, a distance of over eight miles, is at Whitehouse (Falls and Mt. Carmel Roads). A small winery near Black Rock Road has a gravel single lane entry. Although I have used Falls Road almost daily for ten years, I have never seen a commercial vehicle using this entry. The businesses at Whitehouse are a small carry-out, a general store, a small farm implement sales and service store, and a nursery featuring mostly annuals and perennials. These businesses generate very little traffic. The rest of the properties are residential and agricultural. These uses make commercial use inappropriate.

The next concern is about truck traffic on Falls Road which is prohibited except for local deliveries. Falls Road is only two lanes with narrow shoulders. No significant realignment has ever been made to the road, although it is over 100 years old. Mr. Sherman Sparks, who lives in Whitehouse can remember when Falls Road was unpaved. It has about thirty curves in the four miles between Black Rock Road and Mt. Carmel Road. The speed limit is forty miles an hour, and many curves are posted for lower speeds. These facts explain why truck

July 4, 1995

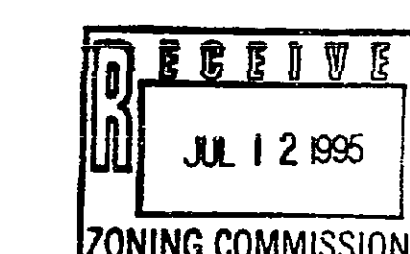
Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County

Dear Mr. Kotroco,

I am currently in the final process of purchasing the property located on 16901 Falls Road. It has recently come to my attention, that a request for commercial zoning has been submitted to your office to allow the owner of 16907 Falls Road to operate a nursery. During my latest visit to the prospective property, I was disturbed to learn that the noise, as well as, the commercial traffic had increased considerably. After residing in a highly populated area for many years, my wife and I were anticipating, building a home in an area that offered a tranquil environment. We believe if this commercial business is allowed to operate adjacent to the prospective property, that it would adversely effect our decision to purchase the property. Thank you for your consideration. Please do not hesitate to contact me for questions or concerns.

Sincerely,

David Camaggio
David Camaggio
4262 Sheldon Avenue
Baltimore, Maryland 21206
Home # 485-7438
Work # 597-7514



RECEIVED
JUL 10 1995
ZADM

RECEIVED
JUL 1 1995
ZONING COM

Dear Mr. Kotroco:

Virginia R. North
Virginia R. North
(formerly Duvall)

RECEIVED
JUL 18 1965
ZONING COMMISSIONER

Dear Mr. Kotroco,

We the und

The recent "flash" fire raises our concerns for a greater potential for fire and other dangers with an increase in the company's operations and employees.

Thank you for your time in this issue and we await your decision.

Regards,

Wynne R. Harris
Luci V. Allen

[Handwritten signature]
[Handwritten signature]

Patricia T. Barker

Philip R. Little
Lawrence M. Little

P. Paul Haffey
Susan L. Shubler

M. L. Todd
Rudolph B. Todd

RECEIVED
JUL 18 1995
ZONING COMMISSIONER

Mr. Commissioner,

While living at 16903 Falls Road from 1985 to 1992 we were very annoyed with:

- the noise and dust created by frequent traffic including trucks entering and exiting the property
- the operation of the trucks from early morning hours well into the evening during the week as well as substantial activity during the weekends
- the frequent squealing of car tires when exiting the Woolf property at all times of the day and night
- the noise of some type of pump running at the pond for days at a time including weekends

Philip R. Watson
Sara M. Watson


TELEFAX

Dear Mr. Kotroco:

AS YOU

cc: Robert L. Woolf, Jr.
Bruce E. Kauffman, Esquire

Respectfully submitted


Charles E. Brooks

Name	Address
<i>[Signature]</i>	16758 Coors Rd W. 11 Rd
<i>[Signature]</i>	3321 W. Canal Rd
Linda G. Nichols	3321 Mt. Carmel Road
R. L. Feltico	17215 Hunter Green Rd.
Sylvia J. Peltier	17215 Hunter Green Rd.
P. S. J. J.	17209 Hunter Green Rd.
Lynne L. J.	17209 Hunter Green Rd.
L. J.	17207 Hunter Green Rd.
Oracy W. J.	17200 Hunter Green Rd.
Charles J. J.	17200 Hunter Green Rd.
Tom J.	17202 Hunter Green Rd.
James H. M.	17204 Hunter Green Rd.
John J.	17210 Hunter Green Rd.
<i>[Signature]</i>	17210 Hunter Green Rd. 21155
Myra R. J.	17224 Falls Rd. 21155
James H. J.	17224 Falls Rd. 21155

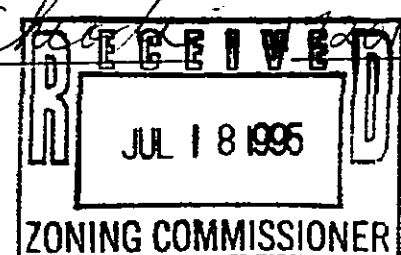
RECEIVED
JUL 18 1995
ZONING COMMISSIONER

Name
 1701 H - 1
 (V.P. MARY CHARLESTON LANDS CARD)

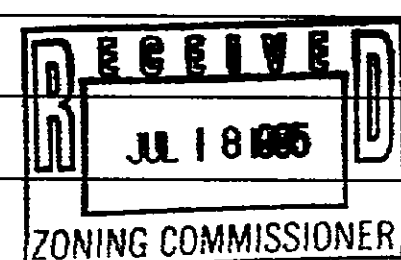
	Address
Thomas Savage	16759 RIDGE RD UPPERCO
Dorothy P O'Tole	17126 FALLS RD UPPERCO
Frank G. O'Tole	16749 Falls RD UPPERCO
Pattling Vaghezeim	16748 FALLS RD. UPPERCO
Christina J. Jago	17207 Falls Rd ^{Hunter Green Rd} Upperco 21155
Eugene H. Jago	17205 Shook Rd ^{Shook Rd} Upperco 21155
James H. Jago	17212 Hunter Green Rd Upperco 21155
James H. Jago	17212 Hunter Green Road Upperco 21155
Robert B. Jago	4301 17th Carmel Rd Upperco MD 21155
Robert B. Jago	7 Hunter Lake Ct Upperco Rd 21155
Marjorie L. Jago	17213 Hunter Green Rd Upperco 21155
Marjorie L. Jago	315 Mt Carmel Rd " "
C. C. Wheeler	315 Mt Carmel Rd Upperco 21155
Sherman H. Jago	17219 Falls Rd Upperco 21155
Delores Sparks	17319 Falls Road Upperco MD 21155
Mr. Kimball	17209 Falls Rd Upperco MD 21155
Margaret M. Schaffer	Louise W. Hale
17201 Falls Rd Upperco	17200 Falls Rd - Upperco
Carol A. Warner	16815 Falls Rd Upperco MD 21155

RECORD
1990
ZONING COMMISSIONER

Name	Address
<u>Flora Huber</u>	<u>16107 Browne Mill Rd</u>
<u>Henry C. Huber</u>	<u>16827 Uppercase Mill Road Uppercase Md. 21155</u>
<u>Joe Adams</u>	<u>16813 GORSUCH MILL ROAD UPPERCASE MD 21155</u>
<u>Patricia G. Pharo</u>	<u>16813 GORSUCH M.I. Rd. UPPERCASE MD 21155</u>
<u>Thom J. Grant</u>	<u>16879 Hornsall Mill Rd Uppercase, Md 21155</u>
<u>Shirley H. Christ</u>	<u>16879 GORSUCH MILL RD UPPERCASE MD 21155</u>
<u>Edward L. Otto May</u>	<u>16903 GORSUCH Mill Rd., Uppercase, Md 21155</u>
<u>Angela G. Marx</u>	<u>16903 GORSUCH Mill Rd., Uppercase MD 21155</u>
<u>Mike Betz</u>	<u>16821 GORSUCH MILL UPPERCASE, MD</u>
<u>Julia C. Gtn</u>	<u>16821 GORSUCH Mill Rd Uppercase Md</u>
<u>Reece E. Gash</u>	<u>16821 GORSUCH Mill Rd., Uppercase 21155</u>
<u>Trini Suberaw</u>	<u>16776 Browne Mill Rd Uppercase 21155</u>
<u>Fredrick A. Hunscher</u>	<u>4004 Old York Rd Marketa 21111</u>
<u>Paul R. Kunkas</u>	<u>4004 Old York Rd Marketa 21111</u>
<u>Steve S. Stein</u>	<u>5 Hunter Lake Ct Uppercase</u>
<u>Qm M. Mch</u>	<u>3 HUNTER LAKE CT UPPERCASE</u>
<u>Angela M. Mch</u>	<u>3 HUNTER LAKE CT UPPERCASE 21155</u>
<u>Kristy Chivini</u>	<u>17221 Hunter's Green Rd Uppercase</u>
<u>Shaaron C. B...</u>	<u>Hunter's Green Rd Uppercase</u>



Name	Address
John J. Kelly	16758 Co. road 7111 Rd
John J. Kelly	3921 W. Canal Rd
Linda G. Nichols	3321 Mt. Carmel Road
R L Feltola	17815 Hunter Green Rd
John A. Patterson	17815 Hunter Green Rd
P. E. Ladd	17209 Hunter Green Rd.
Lynne L. Doring	17009 Hunter Green Rd.
Lo. Hines	17207 Hunter Green Rd.
George W. Feltola	17200 Hunter Green Rd
Charles J. Feltola	17200 Hunter Green Rd
Tom Hurling	17707 HUNTER GREEN RD
James A. Muehlberg	17204 Hunter Green Road
John J. Kelly	17210 Hunter Green Road
John J. Kelly	17210 Hunter Green Rd. 21155
Myke R. Muehlberg	17224 Falls Rd 21155
James H. McConnell	17224 Falls Rd. 21155

[illegible]

NAME
Philip
" "
Edward J. Young
Rudolph P. 1st
Wayne R. Hearn

ADDRESS
3213 CAPEHAVER RD Green, MD 21154
PROPERTY OWNER: 16901 FALLS RD, UPPERCRO MD
16905 Falls Rd Uppercro, Md 21155
10 Hunter Lake Ct Uppercro MD 21155
16835 FALLS ROAD UPPERCRO MD 21155

PROFILE: Mr. Moore has 31 years of experience in traffic transportation, transit, parking, and pedestrian planning and engineering. He has worked for the Baltimore County Government for those past 31 years in all facets of traffic and transportation planning. This experience includes traffic impact studies, transportation analysis of full scale urban areas as well as individual sites review of various land uses. Additionally, his experience encompasses travel demand studies, parking studies, transit access studies, traffic signal studies and transit and community transportation studies. Mr. Moore has provided expert testimony before numerous planning boards, elected officials, administrative hearing officers, district and circuit courts, as well as citizens groups.

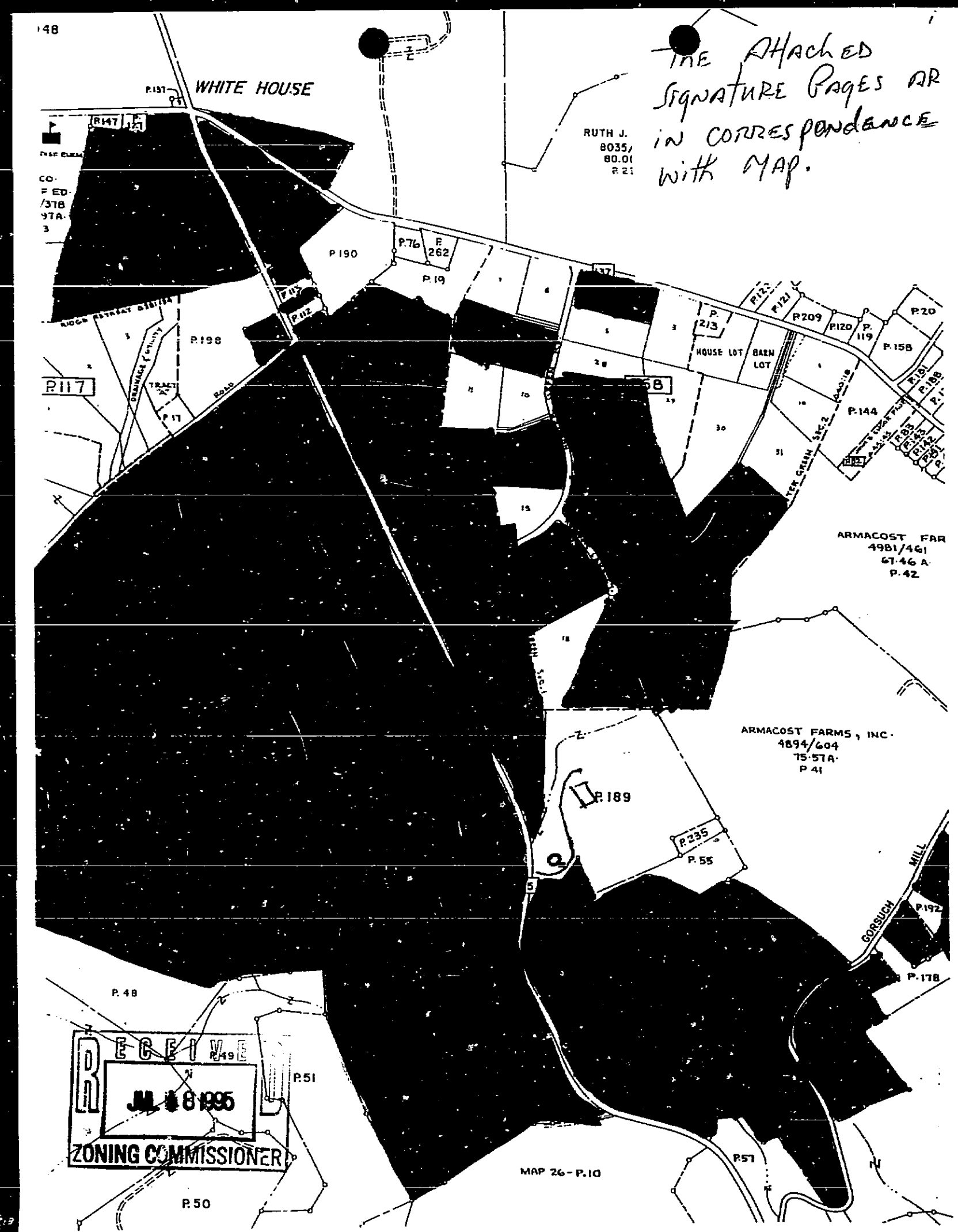
EXPERIENCE: Traffic Impact Studies. Conducted and reviewed numerous traffic impact studies for residential, commercial, and mixed use projects, as well as town master plans throughout Baltimore County. This includes preparation of reports and expert testimony in support of rezoning, subdivisions, site plans, and master plan approval.

Conducted large scale multi-modal transportation studies for such communities as White Marsh, Hunt Valley, Owings Mills, Towson, and others. These studies included large industrial complexes, such as the Rutherford Business Park, HCFA, town centers of Owings Mills, White Marsh, Towson, Loveton, as well as others while in Baltimore County for the last 31 years. Numerous large and small scaled recent projects, such as Owings Mills New Loveton Farms, Honeygo, Greenville, Randallstown, and others.

Traffic Signal Operations. Conducted numerous studies for the installation and modernization of over 400 traffic signals in Baltimore County. This included studies to determine the need for traffic signals, as well as studies analyzing the signal timing and their coordination in signal systems in the various systems throughout the county. Installed and designed the first digital computerized signal system on the East Coast. Participated in the many years of continued upgrading of this signal system with improved signal technology and signal timings.

The Office of Planning and Zoning
Director
Administered the planning program, and the budgets of the Office of Zoning and the People's Council, Baltimore County, Baltimore County, Maryland. The Office of Planning and Zoning

4. UNTAGGED VEHICLES: No untagged vehicles shall be stored on the property unless stored inside a building.



06/13/95
08:39:41

MARYLAND FIRE INCIDENT REPORTING SYSTEM
FIRE INCIDENT REPORT

BALTIMORE COUNTY FIRE DEPARTMENT

A FVID INCIDENT NO. EXP. HQ/DA/YR DAY OF WEEK ALARM ARRIVE IN SERV.
03144 942380390 00 12/04/94 1 SUNDAY 09:14 09:19 09:56

B SITUATION FOUND
16 EXPLOSION, NO AFTER-FIRE

C ACTION TAKEN
3 INVESTIGATION ONLY

D FIXED PROPERTY USE
881 RESIDENTIAL PARKING GARAGE

E INCIDENT ADDRESS
16907 FALLS RD

F OCCUPANT NAME
WOLF, ROBERT

G OWNER NAME
OWNER ADDRESS
16907 FALLS ROAD

H METHOD OF ALARM
1 TELEPHONE DIRECT TO FIRE DEPARTMENT

I NO. PERSONNEL NO. ENGINES NO. AERIAL APP. NO. OTHER VEHICLES
001 000 000 001

J NO. OF INJURIES
FIRE SERVICE 000 CIVILIAN 001

K FIRE SERVICE 000 CIVILIAN 000

L COMPLEX
98 NO COMPLEX

M AREA OF ORIGIN
47 GARAGE, CARPORT, VEHICLE STORAGE 98 NO EQUIPMENT INVOLVED

N FORM OF HEAT OF IGNITION TYPE MATERIAL IGNITED FORM MATERIAL IGNITED
40 HEAT FROM OPEN FLAME, 23 GASOLINE 55 FUEL

O METHOD OF EXTINGUISHMENT
2 MAKE-SHIFT AIDS

P LEVEL OF FIRE ORIGIN
1 GRADE LEVEL TO 9 FEET ABOVE GRADE

Q NUMBER OF STORIES
1 1 STORY

R EXTENT OF DAMAGE
FLAME: 3 CONFINED TO ROOM 8 NO DETECTORS PRESENT

S SMOKE: 3 CONFINED TO ROOM

T TYPE OF MATERIAL GENERATING SMOKE
23 GASOLINE

U FORM OF MATERIAL GENERATING MOST SMOKE
65 FUEL

V MOBILE PROPERTY:
YEAR MAKE MODEL SERIAL NO. LICENSE NO.

W EQUIPMENT INVOLVED IN IGNITION:
YEAR MAKE MODEL SERIAL NO.

REMARKS:
CO RUN#494
ENG#42#218 19 NILES
SU#44#113 19 NILES 3.5 GALLONS
GASOLINE ON GARAGE FLOOR FOUND IGNITION SOURCE AND IGNITED;
PATIENT REFUSAL IS ATTACHED FOR MINOR FLASH BURN TO SIDE OF FACE

MEMBER MAKING REPORT: MARYLAND FIRE INCIDENT REPORTING SYSTEM
06/13/95

08:39:41
FIRE INCIDENT REPORT
BALTIMORE COUNTY FIRE DEPARTMENT

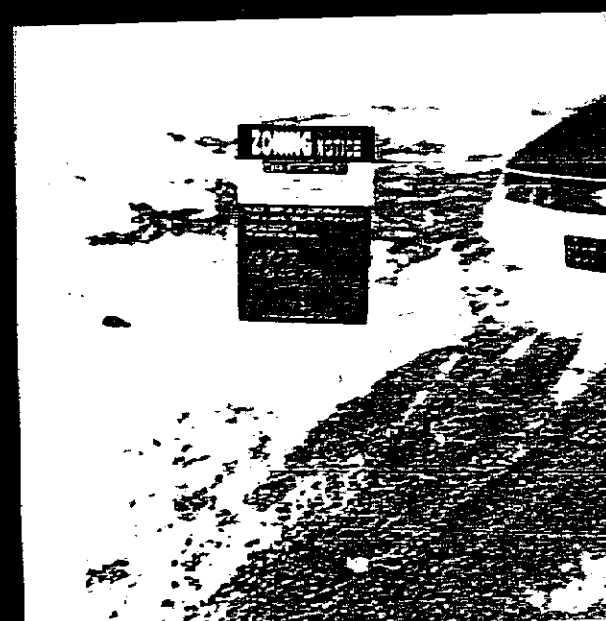
VEHICLE ID: E442
OFF: V00054 KEARNEY, PHILIP R.
DRIV: V000006 BOLLINGER, DANIEL T.
CREW: V440011 BOLLINGER, KENNETH C.
V440187 CUMMINGHAM, GERALD J.
V440180 BILLET, CHRISTOPHER C.
V440190 SPARKS, JASON

VEHICLE ID: SU444
OFF: V440167 TRAUTMAN, BRENT
DRIV: V440086 SMITH, WAYNE G.
CREW: V490062 BELT, JR., WILBUR B.

STAFFING:
V002250 RUHL, THOMAS E.
V440152 POWERS, JAMES F.
V440179 TRAUTMAN, ERIC W.
V440194 MURPHY, BILL

V440136 HOOD, MICHAEL L.
V440174 GRANGER, DEBORAH L.
V440188 WARNE, ROBERT D.

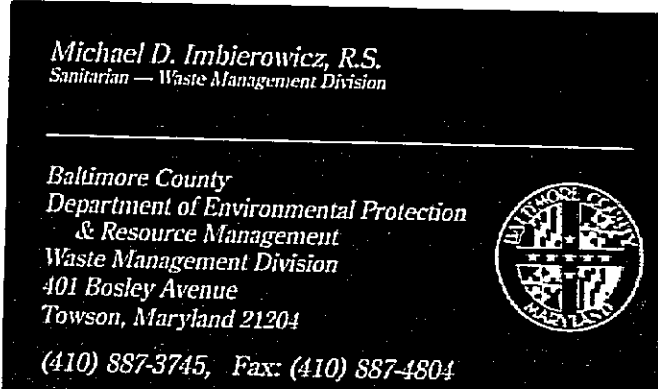
PROTESTANT'S
EXHIBIT NO. 3



409

95-409-X

Protestant's
Exhibit 1A-1C
and 2A-2C
photographs
in
Case
95-409-X



Michael D. Imblerowicz, P.E.
Sanitarian - Waste Management Division
Baltimore County
Department of Environmental Protection
& Resource Management
Waste Management Division
401 Rosky Avenue
Towson, Maryland 21204
(410) 887-3745, Fax: (410) 887-4804

Petitioner's
Exhibit
2A-2S
photographs
in
Case
95-409-X

Petitioner's
Exhibit 4
(business card)

